

From: Dorothy Shermer <dshermer@portmoody.ca>
Sent: Monday, December 03, 2018 11:13 AM
To: Fawn Ross <rossf@ae.ca>; Clerks <Clerks@portmoody.ca>
Cc: Brandie Roberts <broberts@greenwoodenvironmental.ca>; anmoregreenestates@gmail.com
Subject: RE: Delegation Package from Anmore Green Estates

Good morning,

Thank you for your application to appear as a delegation. There are no more opportunities to appear before Council as a delegation this year, but we will contact you in January with the available meeting dates. Thank you.

Dorothy Shermer
Corporate Officer | City of Port Moody
T: 604-469-4603 | F: 604-469-4550 | dshermer@portmoody.ca

From: Fawn Ross [<mailto:rossf@ae.ca>]
Sent: December-02-18 8:57 PM
To: Clerks <Clerks@portmoody.ca>
Cc: Brandie Roberts <broberts@greenwoodenvironmental.ca>; anmoregreenestates@gmail.com
Subject: Delegation Package from Anmore Green Estates

Hello,

Please see that attached delegation request that has been submitted on behalf of Anmore Green Estates. The preferred meeting date would be December 11, 2018.

Thank you,

Fawn Ross, B.Sc., R.P.Bio.
Environmental Scientist
Associated Environmental Consultants Inc.
#200 - 2800 29th Street, Vernon, BC V1T 9P9
Tel: 250.545.3672 | Cel: 778.212.3773 | Dir: 250.545.3672. ext 244



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Request to Appear as a Delegation

100 Newport Drive, Port Moody, BC, V3H 5C3, Canada
Tel 604.469.4500 • Fax 604.469.4550 • www.portmoody.ca

The Council of the City of Port Moody receives delegations at Committee of the Whole Meetings, which are usually held on the third Tuesday of each month. Delegations are allotted five (5) minutes to address City Council on issues of municipal concern. Committee of the Whole Meetings are open to the public, video recorded, livestreamed, and webcasted.

Other options for addressing Council include the following:

1. Writing to Council

Send an email to Mayor and Council at council@portmoody.ca, or a letter to:

Mayor and Council
City of Port Moody
100 Newport Drive
Port Moody, BC V3H 5C3

2. Speaking at Public Input Periods at Council Meetings

A 15-minute Public Input Period is available at the beginning and end of every Council Meeting, and at the beginning of every Committee of the Whole Meeting. Each speaker is given two (2) minutes to provide Council with input. Specific requests should not be submitted at Public Input Periods.

If you would like to appear as a delegation, please complete this form. All information collected on this form is subject to the *Freedom of Information and Protection of Privacy Act (FIPPA)*. Information on Page 1 of this form will be maintained by the City as required by *FIPPA* for the purpose of scheduling your delegation and for any follow-up after the delegation. Page 2 of this form, as well as any additional pages you submit, may be published as part of the agenda package for the meeting at which the delegation is scheduled.

Requests for Delegations must be received no later than 9:30am at least eight (8) days prior to the date of the meeting at which you wish to appear. The Request to Appear as a Delegation may be dropped off in person at City Hall, or sent by email, fax, or mail to:

- Email: clerks@portmoody.ca
- Fax: 604.469.4550
- Mail: Corporate Officer, City of Port Moody, 100 Newport Drive, Port Moody, BC, V3H 5C3

Final scheduling confirmation will be provided one (1) week before the meeting. If you have questions regarding the process, please email the Legislative Services Department at clerks@portmoody.ca or call 604.469.4500.

Date Request Submitted: December 2, 2018	Preferred Meeting Date: December 11, 2018
Name of Delegation: Anmore Green Estates	
Requestor's Name: Brandie Roberts	
Requestor's Phone Number: 1-778-385-8059	
Requestor's E-mail Address: broberts@greenwoodenvironmental.com	
Requestor's Mailing Address: c/o Quay Pacific Property Management 535 Front St New Westminster, BC V2L 1A4	

Requestor's Declaration

- ☒ By checking this box, I acknowledge that all information provided on Page 2 of this form, as well as any additional pages I submit, may be made available to the public as part of the meeting agenda package, which is published in print and forms part of the permanent public record.

Request to Appear as a Delegation

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Tel 604.469.4500 • Fax 604.469.4550 • www.portmoody.ca

All information provided on this page, as well as any additional pages submitted, may be included in the agenda package, which is published in print and forms part of the permanent public record.

Name of Delegation: Anmore Green Estates

Name of Primary Contact Person: Brandie Roberts

Name(s) of Delegation Member(s) in Attendance:

Brandie Roberts; Fawn Ross

Purpose of Delegation:

The purpose of the delegation is to engage with the newly elected Mayor and Council regarding the ongoing septic pollution of Eagle Mountain Middle School, Heritage Mountain High School, and North Shore Community Park. Our intention is to engage with Port Moody as a means of resolving misunderstandings, sharing information, and ultimately finding resolution.

Details of Request:

Attached is a Delegation Request Letter and background information pertaining to the issue at hand. Although Anmore Green Estates is within the neighbouring municipality, the location of the documented septic breakout is still within Port Moody's jurisdictional boundary. The stormwater infrastructure for the SD 43 development collects surface and groundwater flow from below the AGE septic fields and directs it to Wilkes and Turner Creeks, both of which flow through populated areas of Port Moody. Port Moody youth attend the two affected schools, and the direction of the wastewater to the creeks means that broader areas of the Port Moody may also be affected by the pollution.

In order to know how to solve this issue, all involved will need to be aware of the long history of this issue. Because of this, we have attached key summary documents to our delegation request letter. Additional information is available by request, and/or available at www.anmoregreenestates.ca.

Additional Information in Support of Request:

Please See attached documents.



property overview.mxd / 1/19/2018 / 1:28:28 PM

— Property Boundary
AGE Property

PROJECT NO.: 2017-8011.000.000
DATE: January 2017
DRAWN BY: DA
0 30 m

FIGURE 1: PROPERTY OVERVIEW
Anmore Green Estates Ltd
Anmore Green Estates

January 19, 2018
File: 2017-8011

Daniel Bings
Environmental Protection Division
Ministry of Environment

Re: ACTION PLAN FOR POLLUTION ABATEMENT ORDER (PE-4606)

Dear Mr. Bings:

1 BACKGROUND

On November 23, 2017, the Ministry of Environment (MOE) issued a Pollution Abatement Order to Anmore Green Estates Strata Corporation LMS 3080 (the AGE Strata) in response to septic leachate daylighting on neighbouring properties. This Action Plan has been prepared by Associated Environmental Consultants Inc. (Associated) on behalf of the AGE Strata to meet the conditions of the Order, and reflects direction provided by MOE during a progress update meeting with Associated that was held on January 12, 2018. This report includes background information on the history of the site, a summary of MOE's recent findings, a list of actions taken to date, and pending actions.

The information in this report was collected during a detailed review of AGE Strata records, through publicly available information and documents received under a Freedom of Information Act request by Coquitlam School District 43 (SD 43). A chronological record of events and applicable references are available in Appendix A, and referenced documents can be provided upon request.

Anmore Green Estates (AGE) is a 51-home community in Anmore, BC. AGE has a private community wastewater treatment system that consists of a treatment plant and two septic disposal fields (the AGE wastewater system; Figure 1) and is authorized under MOE Permit PE4606. Portions of AGE's property boundary form the jurisdictional boundary between the Village of Anmore (Anmore) and the City of Port Moody (Port Moody).

AGE's development (including the AGE wastewater system) was built in 1995-1999. At that time, the downslope areas were forested parkland a natural grade of approximately 10% slope.

In 2001, the Port Moody lands adjacent to AGE were sold to SD 43. The Contract of Purchase and Sale Agreement for those lands acknowledges that both the seller (City of Port Moody) and the purchaser (SD 43) were aware that septic breakout was a potential risk. The Port Moody lands were developed into a school (Heritage Woods Secondary School) and a community park (North Shore Community Park). In 2003, SD 43 purchased the land in Anmore adjacent to AGE, and constructed Eagle Mountain Middle School.



property overview.mxd / 1/19/2018 / 1:28:28 PM

— Property Boundary
AGE Property

PROJECT NO.: 2017-8011.000.000
DATE: January 2017
DRAWN BY: DA
0 30 m

FIGURE 1: PROPERTY OVERVIEW
Anmore Green Estates Ltd
Anmore Green Estates

January 19, 2018
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The redevelopment of the SD 43 lands required significant cutting of the slopes between the AGE wastewater system and the SD 43 facilities (Photographs 1-11). Vertical retaining walls and banks with approximately 37% slope were developed on the western side, and vertical retaining walls and banks with approximately 52% slope on the southern side. According to a recent engineering assessment, cutting the banks likely compromised the pre-existing septic field used by AGE.

Reports of potential septic breakout followed in 2008, 2011, 2013, and 2017. To address the issue, the AGE Strata made several attempts to connect to a nearby municipal connection in Port Moody (2007-2008, 2011). However, they were unsuccessful because Port Moody's effluent is treated by the Greater Vancouver Sewerage and Drainage District (GVS&DD), and Anmore is not a member of the GVS&DD.

2 POLLUTION ABATEMENT ORDER

In December 2016, MOE completed an onsite inspection of the AGE septic system. As a result of that inspection, MOE released a Warning Letter on March 7, 2017 stating that the AGE Strata was not compliant with their permit conditions. The Warning Letter requested that the AGE Strata complete specific tasks including "work with qualified professionals to determine if there is breakthrough of septic discharge and if pollution is occurring" and "work with all stakeholders to connect to sewer."

In September 2017, as part of an effort to address MOE's Warning Letter, Associated conducted soil sampling in locations where seepage had previously been observed. Laboratory results indicated E. coli and fecal coliform levels of 160,000 MPN/g in soil collected from the exposed slope on the SD 43 property southwest of the AGE wastewater system.

MOE reviewed the data, and completed another site inspection. An inspection report issued by MOE in November 2017 concluded that

"E. coli and fecal coliforms levels [are] dangerously high in the media of the exposed slope on School District 43 property" and that "the impacted media poses a risk to human health as it is accessible to the public including children attending school on the property."

On November 23, 2017, MOE issued a Pollution Abatement Order to the AGE Strata that required the following actions:

Timeline	Action
Immediately	Take action to engage with SD 43 and Port Moody to implement impacted zone management actions to mitigate risk to human health by installing temporary fencing to prevent public access to the cut banks, and post warning signage.

Timeline	Action
December 31, 2017*	Retain suitably qualified professionals to develop and submit for MOE Director's approval, an Action Plan detailing measures to be taken to implement pollution abatement activities.
March 1, 2017	Prepare and submit a formal written report by March 1, 2018

* An extension to January 19, 2018 was requested and granted by MOE.

3 SUMMARY OF ACTIONS TAKEN TO DATE

3.1 ENGAGEMENT OF QUALIFIED PROFESSIONALS

In response to the initial 2016 MOE site visit, AGE hired qualified environmental and engineering professionals to assess the conditions of the AGE septic system and possible resolutions. The assessments considered past studies, existing infrastructure and site conditions, and the sensitivity of the receiving environments. The engineering reports concluded that a new onsite treatment and disposal system cannot not be designed to meet current regulatory standards as detailed in Municipal Wastewater Regulation, and that the only way to prevent future contamination of school properties is to connect AGE to a municipal sewer system (See Section 3.62).

3.2 IMMEDIATE NOTIFICATION TO AFFECTED PARTIES

The MOE Warning Letter (March 7, 2017) was distributed directly from MOE to representatives of AGE Strata, SD 43, Anmore, Port Moody, and GVS&DD. Therefore, all parties were immediately notified of the risk of contamination, and the provincial request for further investigations and actions.

The Pollution Abatement Order and Detailed Inspection Report (November 23, 2017), which stated that pollution is likely occurring and represents a health risk, was distributed directly from MOE to representatives of AGE Strata, SD 43, Anmore, Port Moody, and GVS&DD . Therefore, all parties were notified immediately of the contamination, the health risk, and the provincially ordered actions.

3.3 IMPACTED ZONE MANAGEMENT

Because the pollution is occurring on SD 43 lands, AGE required their permission to erect fencing and signage (as requested by MOE). AGE requested access to install the fence and signage on December 1, 2017 and was informed that SD43 had already installed them (Photographs 15-17). Documentation of the SD 43 fencing and signage was reviewed with MOE, and was determined by MOE to be insufficient.

Permission to install the MOE required fencing and signage was granted by SD 43 on December 22, 2017 and the new fencing and signage was installed that day (Photographs 18-20).

The area where the highest concentrations of *E. coli* and fecal coliforms were detected is directly adjacent to the walkway between Eagle Mountain Middle School and Northshore Community Park (Figure 1). During wet seasons seepage flows from the cut bank, along the pathway, and into a nearby storm drain catchment (Photographs 12-14). The outfall for the storm drain is directly into Wilkes Creek.

Application of hydrated lime (or calcium hydroxide) was considered as a short-term method for reducing the health risk caused by the pollution; however, there are potential human health and environmental risks associated with its use. It is a skin and lung irritant to humans, and works by increasing pH of water solutions; therefore, it is considered a deleterious substance under the *Fisheries Act* and could not be directed into the storm drain. For these reasons, lime was not applied, and public access to the walkway was instead blocked.

3.4 AVAILABILITY OF CONNECTION

There are viable municipal wastewater connections close to AGE, as multiple connections to Port Moody infrastructure are located less than 100 m from the AGE septic field; however, approval for that connection is complicated. AGE is within the jurisdiction of Village of Anmore, the sewage pipes are owned by the City of Port Moody, and the effluent is treated by GVS&DD. Connecting AGE to the Port Moody/GVS&DD infrastructure requires permission and coordination among all three jurisdictions.

Previous attempts to connect to the Port Moody infrastructure has been denied by the municipalities (2007-2008, 2011), as Anmore is not a member of the GVS&DD. However, in 2014, Anmore requested and was granted a connection for Eagle Mountain Middle School via an agreement where SD 43 pays a 20% premium over the service rate charged to residents of member municipalities. Because onsite treatment cannot be accomplished in a manner that prevents pollution, AGE is attempting to connect to the Port Moody infrastructure under a similar agreement as Eagle Mountain Middle School.

3.5 COMMUNICATIONS WITH, AND POSITIONS OF, AFFECTED PARTIES

A series of communications occurred between the AGE Strata and the named parties following the circulation of the MOE Warning Letter, and again since the Pollution Abatement Order and Detailed Inspection Report were released. This is a chronological summary of AGE communications and publicly available information. A detailed summary and applicable references are available in Appendix A.

Throughout spring 2017, the AGE strata requested that Anmore support the connection and advocate on their behalf with Port Moody and the GVS&DD. On June 1, 2017, Anmore declined the AGE Strata's request because the Anmore Council was concerned that their support may have been interpreted as a willingness to join the GVS&DD, which Anmore is not prepared to do. Anmore stated that if AGE could gain GVS&DD's approval on their own, Anmore may reconsider their position.

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As GVS&DD is a federation of municipalities, the AGE Strata anticipated that GVS&DD would not be able to grant the request of individual homeowners from a non-member municipality. In July 2017, AGE took the legal actions required to form a "Local Service Area" under the *Local Government Act* in hopes that it would provide a framework to better approach the GVS&DD.

On September 20, 2017, the new AGE Local Service Area submitted a proposal to Port Moody, GVS&DD, and SD 43 for AGE to negotiate a service agreement without the Village of Anmore, and offered to pay all costs associated with the AGE connection. The actions that each of the municipalities took in response to the proposal include the following:

- November 2, 2017, GVS&DD sent a letter to Anmore stating they would not consider the AGE request unless Anmore joined GVS&DD, and the request came directly from Anmore;
- November 3, 2017, Port Moody sent a letter to Anmore stating that they support the connection, if it were not at the cost of Port Moody residents. Port Moody offered two options to provide connection:
 - (1) Anmore could join the GVS&DD and connect via a servicing agreement with Port Moody; or
 - (2) Anmore could not join the GVS&DD and the boundary line between Port Moody and Anmore could be adjusted so that AGE was part of Port Moody.
- On December 5, 2017, Anmore Council voted to respond that they "had no interest in joining GVS&DD or changing the municipal boundary."

The 2017 GVS&DD's Implementation Guideline states that services are not provided to areas outside of the GVS&DD boundary except under certain named conditions. One of these conditions is the "that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk."

Given that the GVS&DD response above predated the Pollution Abatement Order, and that Anmore's position has not changed, AGE recently requested that GVS&DD confirm whether the Pollution Abatement Order was sufficient cause for the above exception to be implemented. The AGE request was sent on January 10, 2018. GVS&DD responded on January 12, 2018, that the question would be sent to the GVS&DD policy group for review. No further response has been received as of January 19, 2017.

SD 43 has stated that they support a long-term solution, but collaboration and communication with SD 43 representatives have not been forthcoming. Information pertaining to site conditions and presence of contaminants has been obtained by the AGE Strata only through FOI requests, access to the SD 43 property to implement requirements under the Pollution Abatement Order was delayed and heavily restricted, and assessments of the affected areas are not permitted by SD 43 without prior written permission.

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In summary, each of the affected parties have been asked if they support the AGE connection, or if they can facilitate it. The table below provides a summary of responses made by the affected parties. Any written responses that indicate otherwise will be submitted to MOE as an amendment to this report.

Affected Party	Response
AGE	The AGE Strata supports the connection. They have offered to facilitate it by paying for the connection, and the 20% premium for services as is paid by Eagle Mountain Middle School.
Port Moody	Port Moody is in support of the connection, and has offered two options to facilitate the AGE connection: <ul style="list-style-type: none"> Anmore joins GVS&DD, and AGE connects to Port Moody via a serving agreement; or Anmore does not join GVS&DD, and the boundary line between Port Moody and Anmore is adjusted so that AGE is part of Port Moody.
GVS&DD	GVS&DD stated they would support the connection if Anmore became a member of GVS&DD, and if the request for the AGE connection came directly from Anmore. The GVS&DD policy group is currently reviewing whether the Pollution Abatement Order qualifies as an exception under the GVS&DD's Implementation Guideline.
Anmore	Anmore has expressed no interest in joining the GVS&DD or adjusting the municipal boundary between Anmore and Port Moody, and will not support or facilitate the AGE connection.
SD43	SD 43 has indicated that they support a long-term solution to the problem; however, they are prohibited from allowing a direct connection. SD 43 actions to date have not demonstrated a willingness to facilitate a solution.

3.6 FURTHER TESTING

3.6.2 Environmental Testing

In response to the Warning Letter, Associated designed a sampling program to demonstrate that breakout is occurring, and if so, the health risk it posed. The methodology included an option for virus testing to assist in determining if samples with *E. coli* also contain human-sourced viruses (rather an animal source of *E.coli*).

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Upon reviewing the results of soil testing (September 27, 2017), MOE determined that the detected *E. coli* concentrations posed a risk to human health. Following this conclusion, Associated spoke with MOE and requested direction from MOE on whether any further testing (including virus analysis) should be done. The MOE responded that the concentrations were too high to be from an incidental animal source, and that no further testing was required for MOE to proceed. The monitoring program will be implemented and/or further testing will be completed if requested by MOE.

3.6.2 Engineering Assessment

During the project update meeting with MOE and Associated (January 12, 2017), the question of whether AGE septic system could be redesigned either under an amendment to the existing permit, or under a new application was discussed.

In response to that discussion, S. Graham Engineering and Geology Inc. completed a detailed engineering assessment. That assessment concluded that onsite treatment is not possible under either an amendment or under the current standards applied to new applications. A full version of that report is available in Appendix C. Further engineering assessments will be completed if requested by MOE.

4 PENDING ACTIONS

Below is a summary of actions AGE will implement prior to March 1, 2018:

Timeline	Action
Immediate	<ul style="list-style-type: none">• Provide this summary, and recent engineering reports to all parties.• Formally request meetings and offer presentations of technical information to Anmore, Port Moody, GVS&DD, and SD 43.
Continuing Efforts	<ul style="list-style-type: none">• Maintain the fencing and signage until resolution is found, or if removal is ordered by SD 43 (this is a condition under the SD 43 Licence to Occupy).• Keep in regular communication with MOE, and respond to any further requests.

The AGE strata is working to bring the parties together to negotiate a solution; however, engaging further political agencies, including Ministers, may be necessary.

We trust that this information will fulfill the requirements of the first deliverable required by Pollution Abatement Order. Any of the referenced documents can be provided upon request. The next formal deliverable will be provided to MOE on or before March 1, 2018.



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Please feel free to contact the undersigned if you have any questions.

Yours truly,

Fawn Ross, R.P.Bio
Environmental Scientist

Attachments:

Appendix A: Referenced Chronological History
Appendix B: Site Photographs
Appendix C: Engineering Assessment 2018, S. Graham Engineering and Geology Inc.

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References

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-Appendix A: Referenced Chronological History-

APPENDIX A: REFERENCED CHRONOLOGICAL HISTORY

Year	Event	
1978	Permit to Discharge Issued Original MOE Permit PE-4606 to discharge treated effluent was issued to original mobile home park development.	(MWLAP, 2002)
1995-1999	Anmore Green Estates redeveloped and plans for connection AGE property was redeveloped with AGE infrastructure between 1995 and 1999, including the 1997 installation of septic system. AGE infrastructure was designed for future connection to municipal sewer connection; Anmore council was party to and supported this through the design, review, and approval processes (Ashford Engineering, 1997; Province of BC, 1997; Village of Anmore, 1999). Intent to connect was also in the MOE Permit (PE-4606), which states “the discharge authorized by this permit shall be connected to a municipal sewerage system when such facilities become available.”	(Olsen and Associates, 1997; Olsen and Associates, 1999; Anmore, 1999; Ashford Engineering Ltd., 1997; MWLAP, 2002; Province of BC, 1997; Anmore, 1999)
2001	Port Moody rezones and sells lands to SD 43 Lands directly south of AGE and in Port Moody were rezoned and sold to SD 43.	(Port Moody, 2001)
2001	Septic Reference Potential for septic leachate from AGE development was referenced in SD 43/Port Moody Sale Agreement Section 3.3 (e) “The Purchaser and the Vendor also acknowledge and agree that there may be some septic effluent leachate from the adjacent lands within the Village of Anmore onto the Property and the parties shall act reasonably and cooperate with each other to minimize and control any such problems.”	(Port Moody, 2001)
2002	Permit to Discharge Amended Original MOE Permit to Discharge was amended for existing AGE development.	(MWLAP, 2002)
2002-2004	SD 43 develops school and park Heritage Woods Secondary School and Northshore Community Park were built. Construction included cutting the banks south of the AGE wastewater system. Prior to development, the are was forested areas with natural grade.	(Binnie, 2002; Keystone, 2011)
2003	Anmore properties purchased by SD 43 Lands southwest of the AGE wastewater system (in Anmore) sold to SD 43	(Land Title Office, 2003)
2004	School Opens Heritage Woods Secondary School opened	(SD 43, 2004)
2007-2008	Connection Request In 2007, the sitting Anmore Council unanimously supported a formal resolution to support the connection of the AGE wastewater system to the Port Moody/GVS&DD infrastructure, and requested information regarding the cost for all of Anmore to join the GVS&DD. Letters reflecting their support were sent to GVS&DD and Port Moody. Both parties responded that Anmore would be required to join GVS&DD, which the Anmore Council was open to. In 2008, the GVS&DD conditionally granted Anmore’s membership and AGE’s connection. One of the conditions was that a pipe agreement be reached with Port Moody. Port Moody’s response was that they will consider (but not guarantee) the AGE connection if all of Anmore joins the GVS&DD, and Anmore pays Port Moody \$40,000 to “explore the feasibility of connecting to the regional sewer system through Port Moody.” Neither the Village of Anmore nor the AGE Strata were willing to pay Port Moody the \$40,000 without certainty that the AGE connection would be approved, and the AGE connection was denied.	(Arden, 2008; MetroVan, 2008; Anmore, 2011b)

Year	Event	
2008	AGE septic redesign After the municipal connection was denied, the AGE Strata engaged Arden Consulting Engineers Ltd. (Arden) to evaluate the AGE wastewater system and recommend options for replacing it. The functionality of the redesign was subject to an MOE requirement that any new treatment plant must fit in the footprint of the existing building.	(Arden; 2008; Orion, 2017)
2008	Septic Reference As part of the Arden (2008) system assessment, Arden collected a water sample from a ponded area directly downslope of the septic field. The sample contained elevated levels of fecal coliforms. Arden speculated that the source was partially treated effluent surfacing due to construction of a berm on school property directly downslope of the septic field.	(Arden; 2008)
2010	AGE Sewage Treatment Plant Replaced The AGE Strata invested in a retrofitted treatment plant as recommended by Arden. The MOE design requirement to remain within the existing footprint limited treatment options, and affected the success of the retrofitted system that is still in place today.	(Orion, 2017; Pinnacle, 2010)
2010	Anmore Request for Sewerage Agreement for Eagle Mountain Middle School Anmore requested a connection for the Eagle Mountain Middle School “because site conditions prevented installation of a septic field.” The request was denied because Anmore is not a member of GVS&DD.	(MetroVan, 2014b; Anmore, 2010)
2011	Septic Reference PGL completed a site assessment and collected a water sample. <i>E. coli</i> was not detected in the sample, but PGL reported that “groundwater associated with the septic field is seeping from an embankment and ponding on school property” and that “there are a number of locations along the embankment where septic field water is seeping to the surface.”	(PGL, 2011)
2011	AGE Connection Request AGE Strata again requested that Anmore Council support the connection to the Port Moody/GVS&DD system, and offered to pay for the studies previously requested by Port Moody. The Anmore Council upheld their previous support, and the GVS&DD responded that Anmore will still have to join GVS&DD for AGE to connect. Anmore Council was no longer in support of joining, so the AGE Strata’s request to connect was denied.	(Anmore, 2011b)
2011	Anmore Public Information Session for School/Park Development During a public information session for the proposed development of Heritage Woods Secondary School and Northshore Community Park. The SD 43 acknowledges presence of septic field and potential for students trespassing on AGE lands discussed	(Anmore, 2011a)
April 2013 – July 2014	Eagle Mountain Middle School Construction Prior to school construction, the property to the west of AGE was forested area with natural grade.	(Extra HErlad, 2014; Keystone, 2011)
2013	Septic Reference by SD 43 Keystone completed water sampling over four months on behalf of SD 43. Results for <i>E. coli</i> and fecal coliforms exceeded recreational guidelines in multiple locations on SD 43 lands. Keystone concluded that: “It is recommended, based on bacteria values and future on-Site land use [as Eagle Mountain Middle School], that the Village of Anmore and Anmore Estates be made aware of the human health concerns, and implement measures to prevent the septic field discharge migrating on-Site prior to the Site school being operational and/or Site grounds accessible to the public. If this request does not receive an immediate response, it is recommended that the BC Ministry of Health be contacted to alert them of the potential public health threat.”	(Keystone, 2013)

Year	Event	
May 2014	GVS&DD grants Sewerage Agreement for Eagle Mountain Middle School Anmore Council and Port Moody Council requested that GVS&DD reconsider their original denial to connect Eagle Mountain Middle School to the municipal system because (1) a screening assessment determined that an onsite septic field was not possible due to poor soil conditions, steep slopes, and insufficient space for an effluent dispersion field, and (2) because the option of trucking sewage is expensive. The school was scheduled to open in June 2014. Precedence, options, and conditions were assessed and permission was granted. One of the conditions was that no other sewer connections from Anmore other than the Middle School connection would be permitted without Anmore joining the GVS&DD	(Port Moody, 2014; MetroVan, 2014a; MetroVan, 2014b)
September 2014	School Opens Eagle Mountain Middle School opened.	(BC Ministry of Education, 2015; Extra Herlad, 2014; SD 43, 2015)
2016	MOE Site Inspection MOE completed a site assessment of the AGE septic system in response to a report of effluent breaking out on SD 43 property, and determined AGE was not complaint with their Permit requirements.	(MOE, 2017c)
2016- 2017	AGE retains Qualified Professionals AGE retained Qualified Professionals to assess and address compliance issues. Associated completed a comprehensive review of available documents, conducted three site assessments, initiated a legal survey of current site conditions, and interviewed regulators and professional experts with knowledge specific to AGE’s wastewater system. Associated also designed a monitoring program, initiated testing, and responded to MOE’s questions. S. Graham Engineering and Geology Inc completed a comprehensive review of available documents, conducted two site assessments, and interviewed professional experts with knowledge specific to AGE’s wastewater system, and completes a detailed assessment on options for redesigning onsite treatment options. R.F. Binnie & Associates Ltd. (Binnie), completed a legal survey of current site conditions, a review of the construction drawings for the school constructions, and preliminary designs for how AGE wastewater infrastructure could be connected to the Port Moody Infrastructure.	(Associated, 2017a; Associated 2017b; Binnie, 2016; Binnie, 2016; Graham, 2017; Graham, 2018)
April 2017	GVS&DD implementation Guild GVS&DD adopted a the “Extension of Regional Sewerage Services Implementation Guideline”. This document states that, the areas outside of the GVS&DD’s Urban Containment Zone are not connected to GVS&DD Services, except during named exceptions including: "that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk".	(MetroVan, 2017a)
February 2017	Septic Sampling Associated collected four surface water samples in areas where ponding or seepage were visible. Septic indicators were present, but there were no exceedances of recreational guidelines for water. <i>E. coli</i> was detected in one sample.	(Associated, 2017c)

Year	Event	
March 2017	<p>MOE Warning Letter</p> <p>MOE issued a Warning Letter stating that the AGE Strata is not compliant with permit conditions. The Warning Letter requested that the AGE Strata complete four actions:</p> <ol style="list-style-type: none">1. Control biological oxygen demand (BOD) and total suspended solids (TSS) to within permitted levels;2. Obtain classification and certification by the Environmental Operators Certification Program (EOCP);3. Work with qualified professionals to determine if there is breakthrough of septic discharge and if pollution is occurring; and4. Work with all stakeholders to connect to sewer. <p>Warning Letter Recipients</p> <ul style="list-style-type: none">• Maria Ferreira (AGE, Property Manager);• Patricia Gartland (SD 43, Superintendent for SD 43, communications care of Barb Simonovic, Executive Assistant);• Juli Kolby (Anmore, Chief Administrative Officer);• Fred Nenninger (GVS&DD, Director of Policy and Planning); and <p>Robinson Puche (Port Moody, Infrastructure & Development Technician)</p>	(MetroVan, 2017a)
June 1, 2017	The AGE Strata's requests for Anmore Council to support the AGE connection were denied. The rationale provided was that the Anmore Council was concerned that their support may been seen as a willingness to join the GVS&DD. Anmore stated that if AGE was able to gain GVS&DD's approval on their own, they may reconsider their position.	(Murdy and McAllister, 2017)
July 5, 2017	At a special meeting called for Anmore Green Estates (LMS 3080) on July 5, 2017, there was a unanimous vote in favour of a petition for creating a Local Service Area. A "Local Service Area" is the same concept as "Specified Area" under the <i>Local Government Act</i> for regional districts. A Local Service Area request was authorized under the Community Charter (Section 212)	(AGE, 2017a; Province of BC, 2018a; Province of BC, 2018b)
Sept 20, 2017	The AGE Local Service Area submitted a proposal to Port Moody, GVS&DD for AGE be allowed to negotiate a service agreement without Anmore 's involvement. The proposal was shared with SD 43.	(AGE, 2017b)
September 27 2017	<p>Septic Testing</p> <p>Following the release of the MOE Warning Letter, Associated completed the first sampling event of what was to be a monthly monitoring program designed to meet the requirements of the Warning Letter (i.e., to determine if pollution is occurring). The planned program included optional testing for human-sourced viruses. (Associated, 2017a).</p>	(Associated, 2017a)
October 11, 2017	<p>Data submission to MOE</p> <p>Raw data from the soil samples collected by Associated were sent to MOE for interpretation.</p>	(Associated, 2017a)
November 2, 2017	<p>Metro Vancouver response to AGE connection request</p> <p>GVS&DD issued a letter to Anmore stating the AGE request will not be considered unless Anmore joins the GVS&DD, and Anmore requests the connection themselves. The letter detailed actions that Anmore must take to become a GVS&DD member.</p>	(MetroVan, 2017b)

Year	Event	
November 3, 2017	<p>Port Moody Letter to Anmore</p> <p>The Mayor of Port Moody sent a letter to Anmore stating that the AGE request had been considered, and that council was in support of allowing the AGE connection, if it were not at the cost of Port Moody.</p> <p>Port Moody offered two options for how the connection could be provided:</p> <ul style="list-style-type: none">• Anmore could join the GVS&DD and the connection could be done via a servicing agreement with Port Moody; or• Anmore could not join the GVS&DD and the boundary line between Port Moody and Anmore could be adjusted so that AGE was part of Port Moody.	(Port Moody, 2017)
November 23, 2017	<p>Pollution and Health Risk Confirmed</p> <p>MOE issues Inspection Details report that concludes “<i>E. coli</i> and fecal coliforms levels [are] dangerously high in the media of the exposed slope on School District 43 property” and that “the impacted media poses a risk to human health as it is accessible to the public including children attending school on the property”. The Pollution Abatement Order what actions AGE Strata is ordered to implement, and by when.</p> <p>Inspection Details report and Pollution Abatement Order recipients:</p> <ul style="list-style-type: none">• Maria Ferreira (AGE, Property Manager);• Patricia Gartland (SD 43, Superintendent for SD 43, communications care of Barb Simonovic, Executive Assistant);• Juli Kolby (Anmore, Chief Administrative Officer);• Fred Nenninger (GVS&DD, Director of Policy and Planning);• Simon So (GVS&DD, General Manager, Liquid Waste Services);• Robinson Puche (Port Moody, Infrastructure & Development Technician);• Tim Savoie (Port Moody, City Manager);• Dan Bings (MOE, Operations Manager Compliance - Reactive); and• Fawn Ross (Associated, Environmental Scientist).	(MOE, 2017a; MOE, 2017b)
December 1, 2017 – December 22, 2017	<p>SD 43 Contract for Permission to Install Fencing and Signage</p> <p>Access to SD 43 land are requested regularly by AGE. SD 43 for revisions to contracts, and requested payments, and administrative needs were met as requested. Three week delay for installation was caused by of administrative needs of SD 43 (CUPE permission for subcontractor to work on school grounds, confirmation of insurance requirements of AGE, four revisions to licence agreement, payment of \$11,0000 to SD 43, limited availability and holiday schedules of SD 43 staff). Permission for access was granted December 22, 2017, fencing and signage were installed that day.</p>	(SD 43, 2017)
December 5, 2007	<p>Anmore Council Position restated</p> <p>On November 23, 2017 Anmore staff recommended that the response to Port Moody’s November 2, 2017 letter be “that the Village of Anmore is not interested in joining the GVS&DD or changing the municipal boundary.” Anmore Council adopted this recommendation during the December 5, 2017 council meeting.</p>	(Anmore, 2017)
December 22, 2017	<p>SD 43 Licence to Occupy and Fencing installation</p> <p>Licence agreement required by SD 43 for the installation of MOE required fencing. Includes amount of licencing fee (\$11,0000 paid December 19, 2017), length fencing is permitted (5 months), hours and days property cannot be accessed (8:00am to 4:00pm Mon-Fri), insurance requirements (\$5,000,000), and conditions that contract can be terminated by SD 43. SD 43 restricted access until December 23,2017, but as fencing crews were unavailable during Christmas, installation was done the evening December 22, 2017.</p>	(SD 43, 2017)
January 10, 2017	<p>AGE request for confirmation to GVS&DD</p> <p>AGE letter to GVS&DD asking if an emergency sewer connection is available to AGE, or if that exception clause can only be enacted by GVS&DD member municipalities. GVS&DD responded on January 12, 2018 that the question would be sent to the GVS&DD policy group for review</p>	(AGE, 2018)

Year	Event	
January 15, 2017	Detailed Engineering Assessment of AGE Options In depth engineering of AGE’s infrastructure and site conditions determines that onsite wastewater treatment cannot be done under an amendment to the existing permit, or under current Municipal Wastewater Regulations.	(Graham, 2018)
January 18, 2016	Legal Letter SD 43 to AGE SD 43 legal team requests copies of scientific testing, reiterates that AGE cannot enter or sample on without express prior written permission. Letter demands that additional taxes must be paid on the \$11,000 licence fee, and if not complied with cancelling of licence is threatened.	(Koffman, 2018)



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Ministry of Environment
-Appendix B: Site Photographs-

APPENDIX B: SITE PHOTOGRAPHS

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Photograph 1: Cut banks between western disposal field and SD 43 infrastructure. Disposal field is at grade with fencing in top left corner. Cut banks are tiered (fencing to the right is top of second tier, see next photograph)



Photograph 2: Cut banks between western disposal field and SD 43 infrastructure. Fencing on the left is fencing on right in previous photograph)

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Photograph 3: Cut banks and retaining wall west of western disposal field (looking northeast)



Photograph 4: SD 43 infrastructure west of disposal field.

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Photograph 5: cut banks below eastern field, and between caretaker's cottage and Northshore Park (looking north). Trees behind border chain-link fence are AGE disposal field.



Photograph 6: Cut banks and retaining wall below eastern disposal field. Tree line is border of AGE septic field; and AGE homes seen in background. (looking northeast).

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Photograph 7: Photograph demonstrating slope of cut banks between western disposal field and SD 43 infrastructure. Building is Eagle Mountain Middle School.



Photograph 8: View from on AGE septic field. Roof of Eagle Mountain Middle School is seen in background (looking south west).

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Photograph 9: View from on AGE septic field. Building in background is Heritage Woods Secondary School (looking west).



Photograph 10: Picture from southern edge of western disposal field. Building is Heritage Woods Secondary, Photo taken from height of natural grade

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Photograph 11: Area directly west of AGE septic field.



Photograph 12: Seepage where high *E.coli* and fecal coliforms were detected. Picture taken from Pathway between Eagle Mountain Middle School and Northshore Community Park.

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Photograph 13: Seepage where high *E.coli* and fecal coliforms were detected. Building in background is Eagle Mountain Middle School.



Photograph 14: Seepage where high *E.coli* and fecal coliforms were detected with pooling near pathway and flowing into the storm drain.

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Photograph 15: SD 43 fencing and sign installed December 1, 2017



Photograph 16: SD 43 signs installed December 1, 2017

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Photograph 17: SD 43 fencing and signs installed December 1, 2017



Photograph 18: AGE fencing and signage installed December 22, 2017

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Photograph 19: AGE fencing and signage installed December 22, 2017



Photograph 20: AGE fencing installed December 22, 2017



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-Appendix C: Engineering Assessments 2018

APPENDIX C: ENGINEERING ASSESSMENT 2018 (S. Graham Engineering and Geology Inc.)



To: Utilities Committee

From: Fred Nenninger, Manager Policy Planning Analysis & WWTP Upgrade

Date: May 2, 2014 Meeting Date: May 13, 2014

Subject: **Village of Anmore's Request for Sewer Service for Eagle Mountain Middle School**

RECOMMENDATION

That:

- a) Notwithstanding the GVS&DD Board's November 26, 2010 resolution that required the Village of Anmore to become a member of the GVS&DD in order to receive regional sewerage services for the Eagle Mountain Middle School, in recognition of the unique present circumstances, the GVS&DD Board approves regional sewerage services for the Eagle Mountain Middle School even though the Village of Anmore is not a member of the GVSⅅ
 - b) The GVS&DD Board approves an amendment to the Fraser Sewerage Area boundary so that the building footprint only of the Eagle Mountain Middle School is located within the Fraser Sewerage Area; and
 - c) The GVS&DD Board directs staff to negotiate and enter into a 25 year Service Agreement with the Village of Anmore and the City of Port Moody under which GVS&DD will provide regional sewerage services to Eagle Mountain Middle School by way of Port Moody's municipal sewer system, on terms that will include a 20% surcharge for service to a non-member municipality.
-

PURPOSE

This report considers the request by the Village of Anmore (Anmore) to obtain regional sewerage services for the new Eagle Mountain Middle School pursuant to a Service Agreement rather than by way of membership within the GVS&DD.

BACKGROUND

Eagle Mountain Middle School (the Middle School) is located at 110 Dogwood Drive, Anmore. It is immediately adjacent to Heritage Woods Secondary School (the Secondary School), which is located within Port Moody and is serviced by the Port Moody sewer system (Attachment 1).

In October 2009, Anmore council passed a resolution stating: *"That the Village of Anmore is seeking inclusion within the GVS&DD in order to connect a proposed middle school to the regional sewer system"*.

To date, Metro Vancouver has only provided regional sewerage services to GVS&DD member municipalities and only with respect to those properties that are located within one of the GVS&DD

sewerage areas. Accordingly, on November 26, 2010 the GVS&DD Board passed the following resolution (Attachment 2):

That the Board support the Village of Anmore's request to expand the Fraser Sewerage Area to accept sewage from the proposed School District 43 middle school site for the building footprint only subject to:

- i. The Village of Anmore becoming a member of the GVSⅅ*
- ii. The Village of Anmore, the City of Port Moody and the GVS&DD negotiating and concluding an agreement to address the construction and connection of the Village of Anmore's school service sewer to the GVS&DD system via the City of Port Moody's sewers; and*
- iii. The Village of Anmore demonstrating that, in accordance with the Integrated Liquid Waste and Resource Management Plan, the regional sewer system should be extended to accommodate the school due to environmental or public health reasons that warrants extension beyond the urban containment boundary.*

The overall process was delayed while School District 43 considered other locations for the Middle School. In September 2011, Anmore confirmed that the School District had decided to proceed with the Anmore location and the process resumed.

The Middle School intends to connect to the Secondary School's sewer system and then to the Port Moody municipal sewer system. A screening assessment determined that an on-site system was not feasible at the Middle School due to poor soil conditions, steep slopes, and insufficient available space for an effluent dispersion field. Technically, the only other option would be to truck the sewage to Annacis Island Waste Water Treatment Plant at a cost estimated to be in the order of \$500,000 per year. For these reasons, School District 43 asked Anmore to apply to Metro Vancouver for regional sewer service for the Middle School (refer to Attachment 2).

At a meeting held on April 8, 2014 between the Chair of the GVS&DD Board, the Chair of the Metro Vancouver Utilities Committee, the Mayor of Anmore, the Mayor of Port Moody and their respective staff, Anmore requested that the GVS&DD reconsider its condition that regional sewerage service would only be provided for the Middle School if Anmore became a member of the GVS&DD. During the meeting Anmore confirmed that it is only seeking regional sewerage service for the Middle School and has no plans to connect any other properties within the municipality to the regional system.

Construction of the Middle School is underway and School District 43 is aiming for occupancy in June 2014 and to be open to students in September 2014.

DISCUSSION

Anmore is a small rural village with a current population of about 2,400 and an estimated build-out population of 4,000 by 2041. Anmore's draft 2014 OCP states that: *"Anmore is identified in the RGS as a rural community and is not expected to absorb a large proportion of regional population growth (0.2%), or be connected to regional services, as it is outside the urban containment boundary."* Anmore has a bylaw requiring on-site sewer systems for properties within its

jurisdiction. Anmore does not own any municipal sewer infrastructure and has advised that it has no plans to own or operate any sewer infrastructure in the future.

GVS&DD Cost Apportionment Bylaw

If Anmore was to become a member of the GVS&DD, it would be subject to cost apportionment pursuant to the *GVS&DD Cost Apportionment Bylaw*. Even though the Middle School site would be the only area within Anmore inside the Fraser Sewerage Area and therefore the only area within Anmore that would receive regional sewerage services, the *Cost Apportionment Bylaw* operates such that Anmore's entire population growth relative to other GVS&DD members would be used to calculate Anmore's growth apportionment. Metro Vancouver's staff projections are that Anmore's growth apportionment would be approximately \$7,000 in 2014 and escalate to approximately \$80,000 per year by 2023. The additional flow based apportionment would be more constant at approximately \$10,000 per year plus inflation.

The legislative process to add a member to the GVS&DD is set out in section 66 of the *GVS&DD Act*, which provides:

(1) The Lieutenant-Governor in Council shall have absolute power and authority, upon the request of a municipality which is not a member of the Corporation, to order or refuse to order such municipality to be a member of the Corporation.

(2) Any Order of the Lieutenant-Governor in Council made under this section shall fix the terms and conditions (if any), and shall name the day on which the municipality shall become and be a member of the Corporation.

Staff from Metro Vancouver, Anmore and Port Moody have been in frequent contact with Ministry staff through regular conference calls. Anmore has been exploring its options and has not made a formal request to the Ministry for membership in GVS&DD.

Boundary Adjustment

Metro Vancouver staff discussed with staff from Anmore and Port Moody the possibility of a municipal boundary adjustment whereby the Middle School would be located within Port Moody. Given Port Moody is a member of GVS&DD, a boundary adjustment would mean there would be no impediment to the Middle School receiving regional sewerage service. Neither Anmore nor Port Moody has expressed an interest in adjusting their shared boundary.

Anmore's request

Given that Anmore is seeking regional sewer service only for the Middle School and given the fact that apportionment of expenses under the GVS&DD's *Cost Apportionment Bylaw* would be based in part on Anmore's entire population growth, resulting in high projected cost apportionment, Anmore's preference is not to become a member of the GVS&DD. Rather, Anmore has requested that the Middle School receive regional sewer service by way of a Service Agreement. Anmore has agreed in principle to pay a surcharge over regional rates in recognition of the fact that Anmore is not a member of the GVS&DD, has not contributed to the capital cost of existing infrastructure, and is not exposed to the costs and potential liabilities that are inherent in GVS&DD membership.

Service Agreement

Section 7C(3) of the *GVS&DD Act* permits the GVS&DD to enter into service agreements:

The Corporation may enter into agreements respecting the discharge into or the treatment of liquid waste by a sewerage facility including, without limiting this authority, agreements that provide exceptions to a by-law [regarding disposal fees and levies].

Despite this legislative provision, GVS&DD has not previously provided service to a non-member or provided sewerage services pursuant to an agreement (other than with respect to trucked liquid waste).

There is however precedent within the Water District. In a few unique circumstances the GVWD has provided relatively small volumes of water to non-members, namely: the University Endowment Lands, Riverview Provincial Institution, the Capilano Salmon Hatchery, and Point Roberts Water District. In June 2013, the GVWD reconsidered and reconfirmed its policy of charging non-members a 20% surcharge over the regional rate. A copy of the GVWD's policy is attached (Attachment 3).

In the present circumstances regional sewerage service for the Middle School can be accommodated by the adjacent municipality, Port Moody, which is a member of the GVS&DD and is supportive of Anmore's request. In addition, regional servicing for the Middle School aligns with regional interests by enabling the development of a public institution.

Key terms of a Service Agreement for regional sewerage service for the Middle School may include:

- The parties would be GVS&DD, Anmore, Port Moody.
- Port Moody would provide municipal sewer and storm water services to the Middle School, as if the Middle School were located within Port Moody's boundaries.
- Port Moody would charge Anmore in accordance with Port Moody's rates bylaws, plus an administration fee of 10%.
- Sewerage from the Middle School would be conveyed to the Annacis Waste Water Treatment Plant for treatment.
- GVS&DD would calculate apportionments under the *Cost Apportionment Bylaw* and would impose its levy on Port Moody as if the Middle School were located within Port Moody.
- Given that there are no dedicated sewerage flow meters for the Middle School, the school's sewerage flow would be deemed equal to the inflow of drinking water to the Middle School.
- GVS&DD would calculate a unit based charge for the sewerage leaving the Middle School and would charge Anmore a 20% surcharge over the calculated 'base rate' multiplied by the deemed volume of sewerage leaving the Middle School.
- Anmore would make a one-time payment to GVS&DD equal to Development Cost Charges that would have been payable had Anmore been a member of the GVS&DD at the time the building permit for the Middle School was issued (approximately \$50,000).
- Anmore would cause School District 43 to grant any necessary SRWs and restrictive covenants.
- No sewer connections from Anmore, other than the Middle School connection, would be permitted to Port Moody's municipal sewer network.

- Anmore would be required to comply with Port Moody's applicable bylaws and GVS&DD's applicable bylaws (such as the *GVS&DD Sewer Use Bylaw*), however remedies would be contractual and typical bylaw enforcement mechanisms would not be available.
- The term of the agreement would be 25 years, with termination of the agreement permitted only in the case of default that is not remedied within a specified period of time.

Technical Review

The Metro Vancouver technical staff review confirms that:

- The subject property is within the Urban Containment Boundary, but is currently outside of the Fraser Sewerage Area.
- The development of the Middle School is consistent with the provisions of the Regional Growth Strategy.
- There are no financial impacts to the GVS&DD for the service connection, as the cost will be borne by Anmore. It is understood that Anmore will pass costs onto School District 43.
- The Middle School will discharge primarily domestic liquid waste, thus no industrial discharge permit is needed.
- The analysis of flow projections shows negligible regional service level impacts.
- The proposed Fraser Sewerage Area boundary adjustment is shown in Attachment 4.

Consistency with Metro Vancouver 2040

The third condition of the November 10, 2010 Board resolution was satisfied when the GVRD Board amended the *Metro Vancouver 2040 Regional Growth Strategy* so that the designation of the Middle School site was changed from Rural to General Urban and the Urban Containment Boundary was amended to encompass the Middle School.

ALTERNATIVES

1. That:

- a) Notwithstanding the GVS&DD Board's November 26, 2010 resolution that required the Village of Anmore to become a member of the GVS&DD in order to receive regional sewerage services for the Eagle Mountain Middle School, in recognition of the unique present circumstances, the GVS&DD Board approves regional sewerage services for the Eagle Mountain Middle School even though the Village of Anmore is not a member of the GVSⅅ
- b) The GVS&DD Board approves an amendment to the Fraser Sewerage Area boundary so that the building footprint only of the Eagle Mountain Middle School is located within the Fraser Sewerage Area; and
- c) The GVS&DD Board directs staff to negotiate and enter into a 25 year Service Agreement with the Village of Anmore and the City of Port Moody under which GVS&DD will provide regional sewerage services to Eagle Mountain Middle School by way of Port Moody's municipal sewer system, on terms that will include a 20% surcharge for service to a non-member municipality.

2. That the GVS&DD Board:

- a) Denies Anmore's request and reconfirms its position that in order for the GVS&DD to provide regional sewerage service for the new Eagle Mountain Middle School, the Village of Anmore must become a member of the GVSⅅ and
- b) In the event that the Village of Anmore wishes to become a member of GVS&DD, directs Metro Vancouver staff to work with Anmore in relation to Anmore's request to the Province for membership in GVS&DD pursuant to section 66 of the *GVS&DD Act*, and directs Metro Vancouver staff to negotiate and enter into an agreement with the Village of Anmore and the City of Port Moody setting out the terms and conditions of the Middle School's connection to Port Moody's municipal sewer system.

FINANCIAL IMPLICATIONS

Alternative 1 would mean Anmore is not a GVS&DD member and would not be apportioned costs under the *GVS&DD Cost Apportionment Bylaw*. Instead, Anmore would be billed, in accordance with the Service Agreement, for the sewage flowing from the Middle School. It is estimated the flow based charge would be approximately \$10,000 per year. Pursuant to the Service Agreement, Port Moody would recover this amount from Anmore by billing Anmore. In addition, Port Moody would charge Anmore a 10% administration fee and GVS&DD would charge Anmore a 20% surcharge over its calculated 'base rate'. Anmore would be required to pay an amount equal to Development Cost Charges that would have been payable if it had been a GVS&DD member when it issued the building permit to School District 43 (approximately \$50,000). Metro Vancouver staff understands that Anmore would pass most of the charges on to the School District.

Alternative 2 would mean that Anmore is required to become a member of the GVS&DD in order for the Middle School to receive regional service. Anmore would be subject to cost apportionment pursuant to the *GVS&DD Cost Apportionment Bylaw*. Metro Vancouver's staff projections are that Anmore's growth apportionment would be approximately \$7,000 in 2014 and escalate to approximately \$80,000 per year by 2023. The additional flow based apportionment would be more constant at approximately \$10,000 per year plus inflation.

OTHER IMPLICATIONS

GVS&DD has not previously entered into a Service Agreement for sewer services nor has it provided sewer service to a non-member. There is historical precedent for the Greater Vancouver Water District providing water to non-members by way of Service Agreement and charging a 20% surcharge over regional rates in recognition that non-members have not paid for the costs of developing infrastructure, and are not subject to the obligations and potential liabilities of members (Attachment 3).

SUMMARY / CONCLUSION

Anmore has requested that the Middle School located at 110 Dogwood Drive, Village of Anmore receive regional sewer service. The GVS&DD Board in late 2010 supported Anmore's request subject (i) to Anmore becoming a member of the GVS&DD, (ii) execution of an agreement between GVS&DD, Anmore and Port Moody, and (iii) compliance with the related provisions in the Integrated Liquid Waste and Resource Management Plan and subsequent Regional Growth Strategy.

In recognition of the fact that only the Middle School would receive regional sewer service and therefore Anmore's cost apportionment under the *GVS&DD Cost Apportionment Bylaw* would be disproportionately high, the fact that the connection would have negligible consequences for the regional sewerage system, and the fact that Anmore is a member of both the GVRD and the GVWD, staff recommends that the Middle School receive regional sewerage service without the Village of Anmore becoming a member of GVS&DD. Staff believes that the unique circumstances in this instance mean there is little risk of setting a precedent for GVS&DD providing regional sewerage services to non-members.

Staff has been in the process of negotiating an agreement with Anmore and Port Moody as contemplated by the November 2010 GVS&DD Board resolution. That draft agreement can be revised as required.

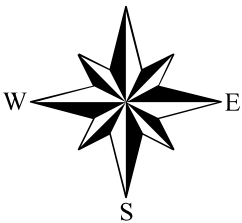
The GVRD amended the Regional Growth Strategy so that the Middle School is designated General Urban and is within the Urban Containment Boundary and therefore the Regional Growth Strategy does not preclude GVS&DD from providing regional sewerage service to the Middle School.

Staff recommends Alternative 1.

Attachments:

1. Site Map – Village of Anmore New Middle School Development
2. 2010 GVS&DD Board Report, October 28, 2010 – Anmore's Request to Connect to the Regional Sewer System
3. Board Policy: GVWD Water Rates for Members and Non-Members
4. Drawing No. SA-2376, Sheet 77

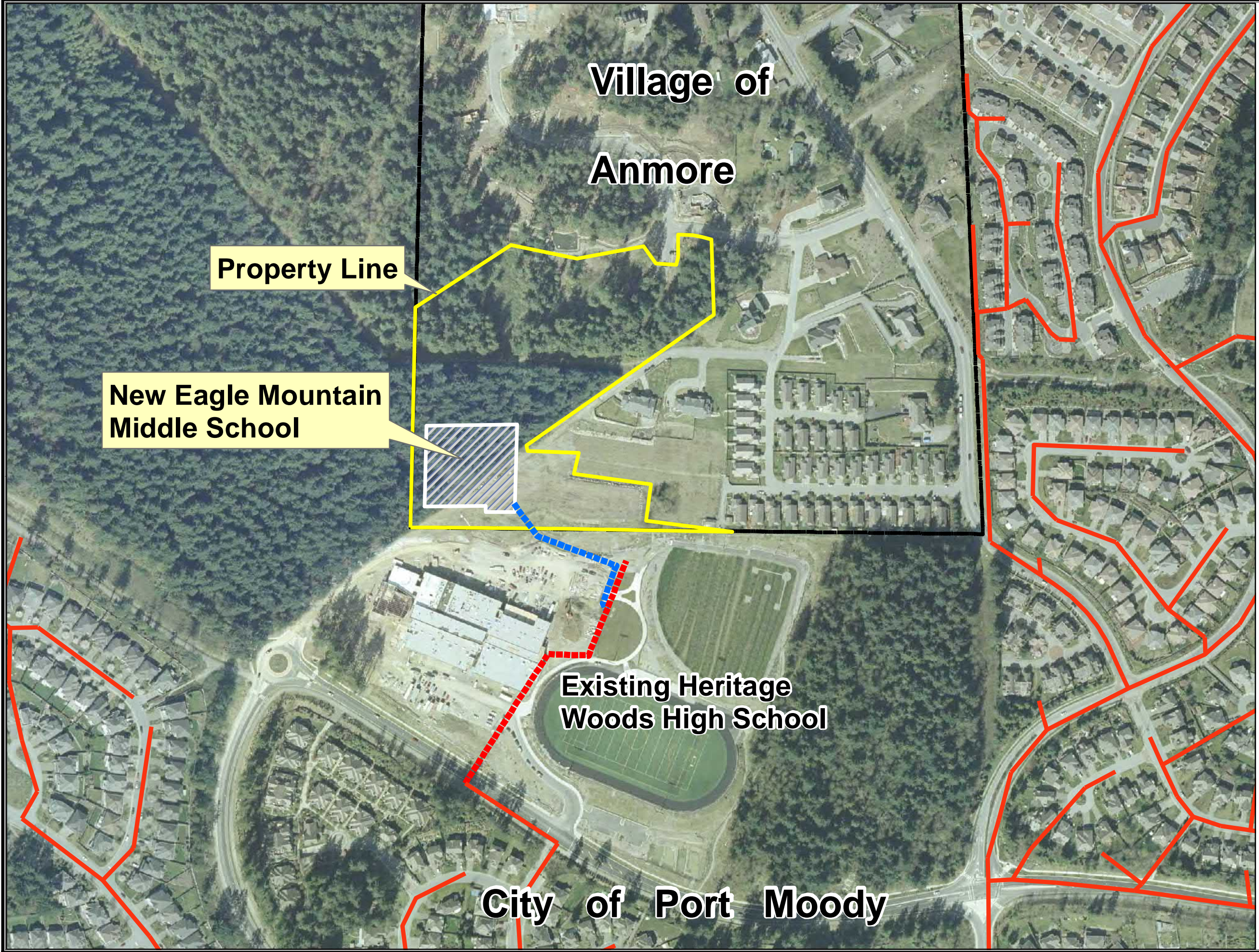
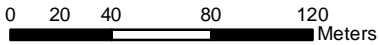
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VILLAGE of ANMORE

NEW MIDDLE
SCHOOL DEVELOPMENT

- Municipal Sanitary Sewer
- New Lateral
- Existing Lateral




metrovancover

Greater Vancouver Regional District • Greater Vancouver Water District

Greater Vancouver Sewerage and Drainage District • Greater Vancouver Housing Corporation

4330 Kingsway, Burnaby, BC, Canada V5H 4G8 604-432-6200 www.metrovancover.org

Waste Management Committee Meeting Date: November 10, 2010

To: Waste Management Committee

From: Fred Nenninger, Division Manager, Policy and Planning Department

Date: October 28, 2010

 Subject: **Anmore's Request to Connect to the Regional Sewer System**

Recommendation:

That the Board support the Village of Anmore's request to expand the Fraser Sewage Area to accept sewage from the proposed School District 43 middle school site for the building footprint only subject to:

- i. The Village of Anmore becoming a member of the GVS&DD pursuant to section 66 of the *Greater Vancouver Sewerage and Drainage District Act*;
 - ii. The Village of Anmore, the City of Port Moody and the GVS&DD negotiating and concluding an agreement to address the construction and connection of the Village of Anmore's school service sewer to the GVS&DD system via the City of Port Moody's sewers; and
 - iii. The Village of Anmore demonstrating that, in accordance with the Integrated Liquid Waste and Resource Management Plan, the regional sewer system should be extended to accommodate the school due to environmental or public health reasons that warrants sewer extension beyond the urban containment boundary.
-

1. PURPOSE

To respond to a request from the Village of Anmore to connect the proposed School District 43 middle school to the regional sewer system via the City of Port Moody's sewer system.

2. CONTEXT

School District 43 has proposed constructing a new middle school in Anmore to service students from Anmore, Port Moody and Coquitlam. In October of 2009, Anmore council passed a resolution stating: *"That the Village of Anmore is seeking inclusion within the Greater Vancouver Sewerage and Drainage District in order to connect a proposed middle school to the regional sewer system.* Due to property issues, Anmore subsequently requested that the process be delayed until the property issues were resolved. On October 18, 2010, Anmore renewed its request to connect the proposed middle school to the regional sewer system (Attachment 1).

The Village of Anmore currently requires developments to provide on-site sewage treatment systems. Given difficult site conditions, Anmore has requested that Greater Vancouver Sewerage and Drainage District (GVS&DD) allow the proposed middle school to connect to the regional sewer system via the City of Port Moody's sewer system rather than require on-site sewage treatment.

In order for the proposed middle school to connect to the regional sewer system, the property needs to be included in the Fraser Sewage Area (FSA), which requires the FSA boundary to be extended. As a matter of longstanding policy, GVS&DD has accepted requests to amend sewerage area boundaries only from member municipalities and, therefore, in order to amend the FSA boundary, the Village of Anmore would need to become a member of the GVS&DD. If Anmore were to become a member of the GVS&DD then the *Greater Vancouver Sewerage and Drainage District Act* (GVS&DD Act) and GVS&DD bylaws will apply to Anmore. In accordance with the GVS&DD Act, upon the request of a municipality, the Lieutenant-Governor in Council has the power and authority to order such municipality to be a member of the GVS&DD. Under the Act the GVS&DD has the discretion to establish and change the boundaries of the sewerage areas required to carry out its objects.

The Board-approved Integrated Liquid Waste Management Plan (ILWMP) states that “the regional sewer system will not be extended beyond the urban containment boundary except for overarching environmental or public health reasons.” Action 1.1.1 of the draft Regional Growth Strategy (draft dated September 2010) states that “Metro Vancouver’s role is to: Direct the Greater Vancouver Sewerage and Drainage District to not extend regional sewage services into the Rural, Agricultural or Conservation and Recreation areas, except for building footprints in cases where infrastructure is needed to address a public health issue, protect the region’s natural assets, or to service agriculture or agri-industry.” The proposed middle school site is outside of the urban containment boundary, thus before approving a bylaw to expand the FSA, the GVS&DD should require Anmore to demonstrate that the regional sewer system should be extended to accommodate the school due to environmental or public health reasons.

The GVS&DD does not own or operate a regional sewer in the Anmore area. The nearest regional system is located several kilometers away in Port Moody (Attachment 2) The City of Port Moody owns and operates a neighbourhood sewer system adjacent to the proposed school site. Port Moody council has passed a resolution requesting that Anmore seek membership in the GVS&DD and fund a study to assess the feasibility of connecting to the Port Moody system. Once that study is complete, Port Moody will consider Anmore’s request to connect to the Port Moody system.

3. ALTERNATIVES

That the Board may:

- 1) Support the Village of Anmore’s request to expand the Fraser Sewage Area to accept sewage from the proposed School District 43 middle school site for the building footprint only subject to:
 - i. The Village of Anmore becoming a member of the GVS&DD pursuant to section 66 of the *Greater Vancouver Sewerage and Drainage District Act*;
 - ii. The Village of Anmore, the City of Port Moody and the GVS&DD negotiating and concluding an agreement to address the construction and connection of the Village of Anmore’s school service sewer to the GVS&DD system via the City of Port Moody’s sewers; and
 - iii. The Village of Anmore demonstrating that, in accordance with the Integrated Liquid Waste and Resource Management Plan, the regional sewer system should be extended to accommodate the school due to environmental or public health reasons that warrants sewer extension beyond the urban containment boundary.

- 2) Not support the Village of Anmore's request to allow connection of the proposed middle school to the regional system.

4. CONCLUSION

Anmore has requested that the GVS&DD accept connection of a proposed middle school to the regional sewerage system via the City of Port Moody's sewer system. Consistent with longstanding GVS&DD policy, Anmore should first become a member of the GVS&DD and then GVS&DD may extend the Fraser Sewage Area. As there are no regional sewer pipes in that area, Anmore is best served by reaching an agreement with Port Moody and GVS&DD to allow a connection from the proposed middle school to the existing nearby Port Moody's sewers and the GVS&DD's sewers.

Staff recommends Alternative 1.

ATTACHMENTS:

- 1) Letter from Village of Anmore dated October 18, 2010, titled Inclusion of School District 43 Properties Within GVS&DD Sewer Area Boundary (Doc #4517914)
- 2) Location of Proposed Middle School and Regional Wastewater Facilities (Doc #4502232)



VILLAGE OF ANMORE

2697 Sunnyside Road
Anmore, B.C.
V3H 5G9



October 18, 2010

Metro Vancouver
4330 Kingsway
Burnaby, BC
V5H 4G8

Attention: Mr. Ed von Euw
Senior Engineer,
Policy & Planning Department

Dear Mr. von Euw:

**SUBJECT: INCLUSION OF SCHOOL DISTRICT 43 PROPERTIES
WITHIN GVS&DD SEWER AREA BOUNDARY**

Further to your recent conversations with our Planning Consultant, Mr. Michael Rosen, this letter is intended to officially inform Metro Vancouver that School District 43 has decided to resurrect the development of a new Middle School within the Village of Anmore.

Consequently, further to the Village's letter to Metro Vancouver dated 27 October 2009, the Village respectfully requests that Metro Vancouver resume the process of including the School District's properties within the GVS&DD sewer boundary. We understand that the next step in the process would be a staff report going to the Metro Vancouver Board in November requesting inclusion of the Village in the GVS&DD for the school property.

The Village understands that entering into agreements with the City of Port Moody will be required as a condition of securing an expansion of the GVS&DD sewer boundary.

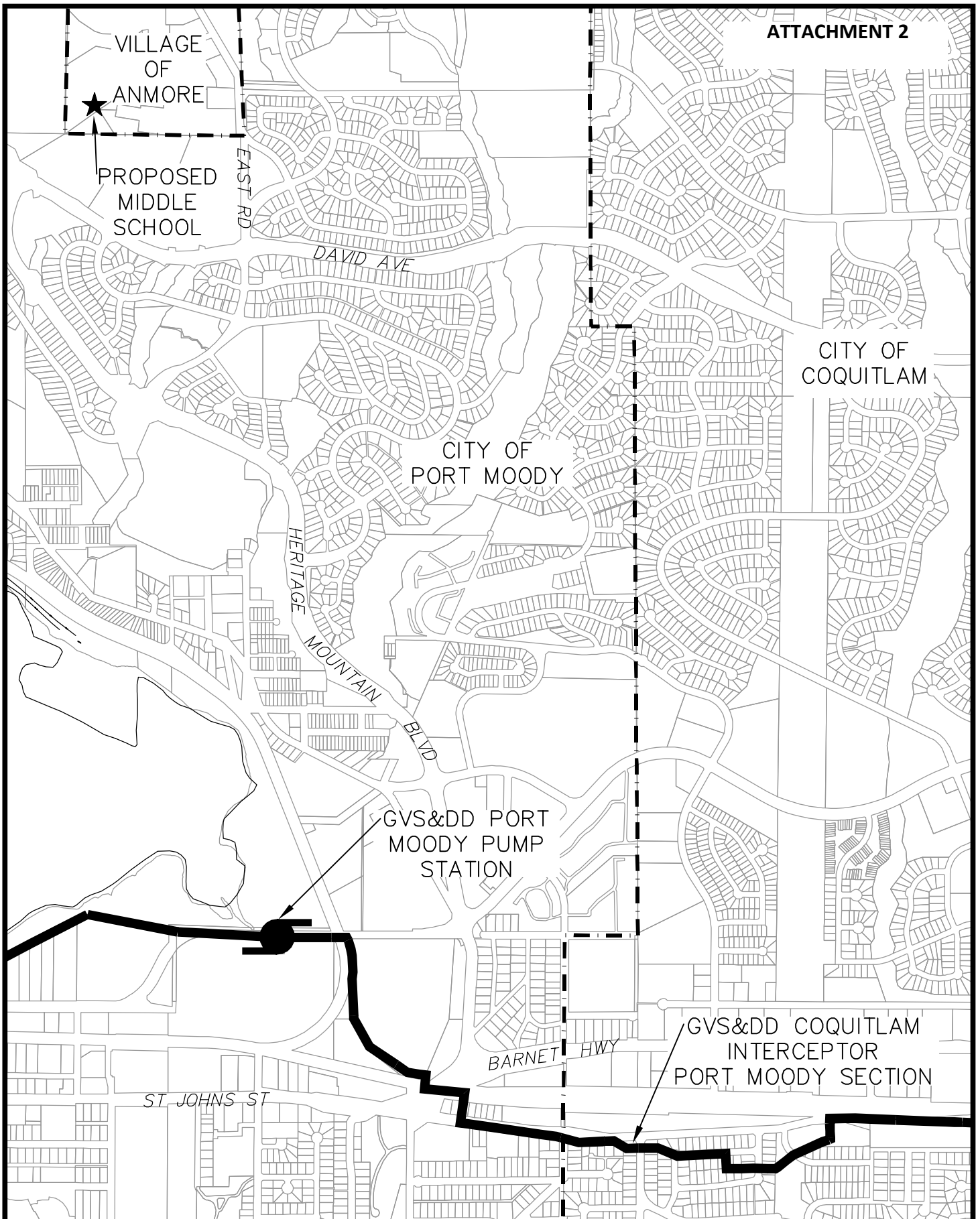
Our staff will continue to liaise with Metro Vancouver and City of Port Moody staff regarding this matter.

Yours truly,

Karen Ann Cobb
Manager of Corporate Services

cc: Tom Grant, Superintendent, School District 43
Gaetan Royer, Chief Administrative Officer, City of Port Moody

Phone: 604-469-9877 • Fax: 604-469-0537 • Email: village.hall@anmore.com
Web: <http://www.anmore.com>



GREATER VANCOUVER SEWERAGE & DRAINAGE DISTRICT LOCATION OF

PROPOSED MIDDLE SCHOOL AND

REGIONAL WASTEWATER FACILITIES

SCALE: N.T.S.

Greater Vancouver Sewerage & Drainage District 24

JM/OCT/10
SH. 40/SA-2376

GREATER VANCOUVER WATER DISTRICT BOARD POLICY

SUBJECT: GVWD Water Rates for Members and Non-Members
POLICY NO:
EFFECTIVE DATE:
APPROVED BY: GVWD Board

PURPOSE

To establish the rate structure under which water is provided by the Greater Vancouver Water District (GVWD) to members and non-members.

POLICY

1. GVWD Act

In December 1924 the Greater Vancouver Water District (GVWD) was established as a corporate body under the *Greater Vancouver Water District Act* to provide water on a wholesale basis to GVWD members. The *Act* provides the GVWD with all the rights and is subject to all the liabilities of a corporation including the right to exercise and carry out all the powers, rights and duties conferred and imposed by the *Act*.

Under its general powers, the GVWD has the power to sue or be sued, and shall have the power to acquire, hold or dispose of real property for use of the GVWD and may become a party to any contracts or agreements necessary or incidental to the management of the GVWD.

The GVWD membership has increased over time to 19 members in 2013 (18 member municipalities and 1 Treaty First Nation).

2. GVWD Water Rates for Members

All GVWD members shall pay the same wholesale water rate (dollars per cubic metre) for the volume of water they consume. The wholesale water rate is established annually by the GVWD Board and is set to provide for a balanced budget as required by legislation.

To join the GVWD, new members must pay the incremental infrastructure costs associated with the GVWD expanding capacity to meet the demand of the new member. After joining the GVWD, paying the upfront servicing costs and assuming all the obligations of membership, new members will also pay the wholesale GVWD water rate for the volume of water they consume.

3. GVWD Water Rates for Non-Members

Except as set out by this policy, all GVWD non-members shall pay a retail water rate based on the wholesale water rate as set annually by the GVWD Board, plus an additional charge of 20%. This additional charge is included to reflect the following costs and obligations which are not incurred or assumed by a non-member of the GVWD:

- *Legal liabilities of members* - GVWD members are legally liable for all obligations of the GVWD including debt, risks to infrastructure, legal suits or actions, or spills to the environment. GVWD members are, therefore, subject to additional charges should circumstances arise while non-members are not;
- *Obligations of members* - GVWD members are obliged to comply with the *GVWD Act* and the plans, policies, authorities, regulations, and bylaws of the GVWD such as the Drinking Water Management Plan, the Regional Water Shortage Response Plan, and the GVWD lawn sprinkling regulations;
- *Upfront costs of membership* - To join the GVWD, new members pay the incremental cost associated with the GVWD expanding capacity to meet the demand of the new member. These costs include the initial connections and the expansion of infrastructure required to meet the incremental demand as determined as part of the entry or membership agreement;
- *Member commitments* - Non-members do not have the same commitments, interests, obligations and investments in the success of the GVWD as members. In addition, non-members do not contribute to the stature of the GVWD (ability to influence matters of regional significance) in discussions with other groups and senior governments to the same extent as a member.

The favourable cost of borrowing for the GVWD is the result of the commitment, financial position and stability of its collective membership. Non-members do not contribute to this position despite benefiting from the lower debt service costs included within the wholesale water rate.

The 20% surcharge calculation generally reflects the following breakdown:

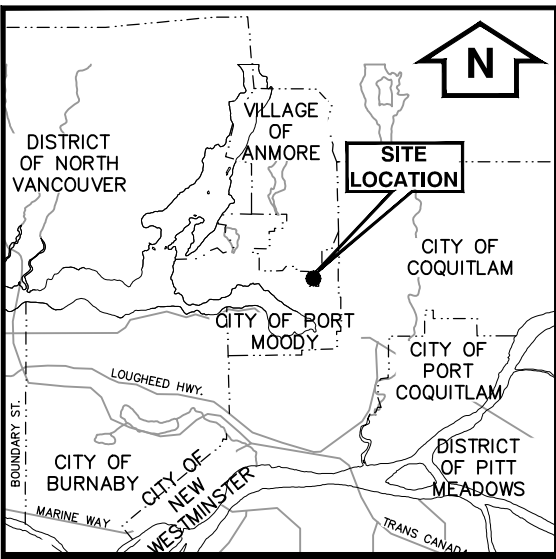
5% - Administration: Represents an administrative and operational charge for services including invoicing, general accounting, reading and maintaining non-member water meters and general staff time dealing with non-member water issues.

5% - Legal and Operational Risk: Represents a charge for the legal and operational risk avoided by not being a full GVWD member. This provides some financial security for members should the non-member significantly change their demand for water from the GVWD thus resulting in infrastructure with either excess or insufficient capacity. This is also intended to provide some security should there be a catastrophic system failure requiring a special levy to members or any potential impact of legal liability.

10% - Infrastructure: Represents a charge for the specific infrastructure enhancements required to provide water to the non-member. This infrastructure includes supply mains, pump station capacity, reservoir capacity, water meters, valving and related infrastructure. These infrastructure enhancements are subsidized by all members through the wholesale water rate, where under the scenario of membership, these costs would be borne by the new member and not included in the rate.

This charge will also contribute to offset the debt service costs on the original infrastructure and overtime lend to funding any capital enhancements or required replacement. In addition, the non-member is benefiting from a favourable borrowing rate on GVWD debt that would not be available if they were to borrow independently. This lower borrowing rate is the result of risk sharing amongst the membership.

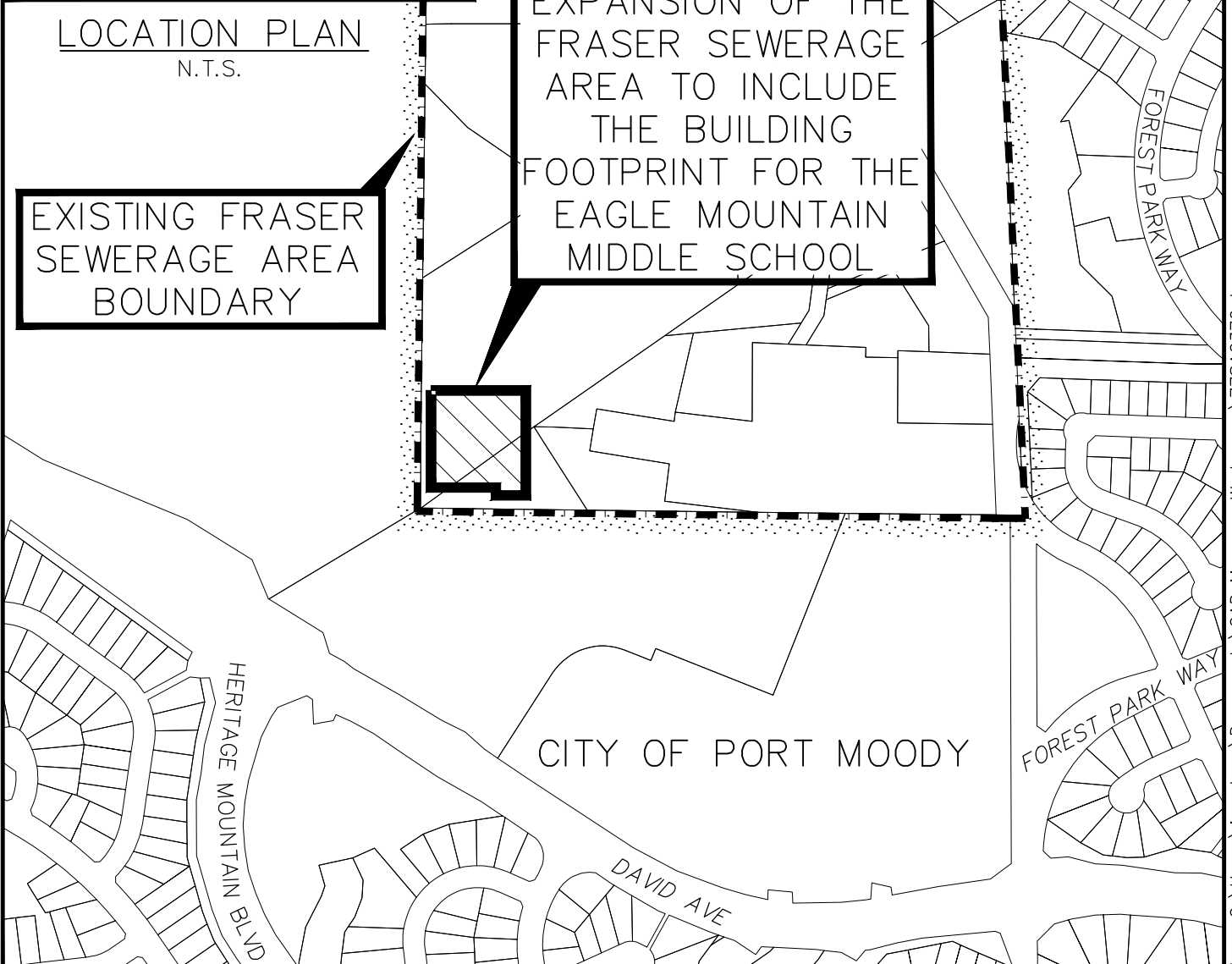
ATTACHMENT 4



LOCATION PLAN
N.T.S.

EXISTING FRASER
SEWERAGE AREA
BOUNDARY

PROPOSED
EXPANSION OF THE
FRASER SEWERAGE
AREA TO INCLUDE
THE BUILDING
FOOTPRINT FOR THE
EAGLE MOUNTAIN
MIDDLE SCHOOL



				GREATER VANCOUVER SEWERAGE AND DRAINAGE DISTRICT															
				Design: MW		FRASER SEWERAGE AREA AMENDMENT		SCALE: N.T.S.											
				Drawn: JM				DISTRICT FILE SA-2376											
				Checked:				SHEET 77											
				Approved		EAGLE MOUNTAIN MIDDLE SCHOOL VILLAGE OF ANMORE		DRAWING NUMBER											
				Manager															
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From: Fawn Ross <rossf@ae.ca>

Date: March 2, 2018 at 3:56:35 PM PST

To: Jason Smith <Jason.Smith@anmore.com>, Juli Halliwell <Juli.Halliwell@anmore.com>

Cc: Ewen Stewart <estewart@azuramanagement.com>

Subject: RE: 2018-02-01 Action Plan Approval

Hi Jason and Juli,

This email is to update you on the recent communications with MOE, and to request a meeting with you. Please note that my role the project is to address the fecal contamination, and work with MOE to meet their requirements. It does not include anything to do with the proposed subdivision to bare land strata, or any other type of development on the property.

The recent direction from MOE is to delay the March 1 deadline until such time that meetings and/or presentations with the Village of Anmore can occur. This is because collaboration with Anmore is seen as the most viable option for reaching a solution. If an amicable solution cannot be reached, the next step is to request the direct involvement of the Minister of Environment, who can order a municipality to prepare a Liquid Waste Management Plan under the Environmental Management Act, Section 24, subsection (3). These are municipality wide plans based on public consultation and protection of health and environment. From my discussions with MOE, my understanding is that if ordered, all exiting MOE septic permits within the municipality are cancelled, then re-issued as operation certificates once the plan is approved by the Minister. The fencing and signage will remain in place until such time that there is no more risk of exposure.

The Anmore Green Estates objective is to address their immediate situation and risk, and not to weigh into politics of that scale, therefore, they much prefer reaching an amicable solution with Anmore. There are other options than ministerial involvement, but those options require collaboration between Anmore Greens Estates and Anmore. I also understand from media releases that Amore still has some questions regarding the source of the fecal contamination. We have scientific options for investigating the system further, but would much prefer to proceed in conjunction with Anmore as a means of alleviating some of the political tension this issue has caused.

With this in mind I would like to meet with you to discuss any technical questions or concerns you may have, and possible options for moving forward. I will also submit a Delegation to Council Request Form as a means of addressing any questions and concerns council has.

Please call either Ewen or myself to discuss this further.

Cheers,

Fawn Ross, B.Sc., R.P.Bio.
Environmental Scientist

Associated Environmental Consultants Inc.

#200 - 2800 29th Street, Vernon, BC V1T 9P9

Tel: 250.545.3672 | Cel: 778.212.3773 | Dir: 250.545.3672. ext 244

You may [unsubscribe from Associated Environmental electronic communications](#) at any time.

From: Jason Smith [<mailto:Jason.Smith@anmore.com>]
Sent: Friday, March 2, 2018 4:07 PM
To: Bings, Dan P ENV:EX
Cc: Juli Halliwell
Subject: Fwd: 2018-02-01 Action Plan Approval

Hi Dan,

We would like to arrange a meeting with you as soon as possible to discuss this matter. The threats implied in this email would have major political and financial ramifications for our community.

We would like to have a clear understanding of the Ministry's position on this matter.

Perhaps sometime early next week. Please advise on when you are available.

Regard, Jason

May 14, 2018

File: CR-07-01-ANM

Mr. Jason Smith, Manager of Development Services
Village of Anmore
2697 Sunnyside Road
Anmore, BC V3H 5G9
VIA EMAIL: Jason.Smith@anmore.com

Dear Mr. Smith:

Re: Anmore's Anticipated Costs Related to GVS&DD Membership

This letter is in response to your May 9, 2018 email query regarding the anticipated costs to Anmore becoming a member of the GVS&DD and connecting Anmore Green Estates to the regional sewerage system. There are a number of related cost factors that Anmore should consider, with the main factors outlined below. Note that should Anmore decide to pursue GVS&DD membership, Anmore is responsible for completing their own due diligence.

Cost Apportionment Bylaw 283 has two components: growth and non-growth:

- **Non-growth** – This annual cost is flow based, which involves having a sewer flow meter in place. Preliminary cost estimates for sewage flow from Anmore Green Estates are in the order of \$10k for this year rising to about \$12k in five years. This does not include the cost of the flow meter and annual maintenance.
- **Growth** – This annual cost is based on member total population growth projections and distributes the growth charge to all members across the Fraser Sewerage Area. If Anmore were to become a member and based on Anmore's population growth projection, preliminary cost estimates are in the order of \$17k for this year rising to about \$42k in five years for this charge.

Development Cost Charge Bylaw 254:

- One-time DCCs are charged for new construction within the sewerage area and are currently \$5,428 per single family home and \$4,695 per townhouse unit. DCCs are collected by the member municipality on behalf of the GVS&DD.

Additional factors that may affect costs:

- **LWMP** – members must comply with all relevant actions in the GVS&DD *Integrated Liquid Waste and Resource Management Plan* as approved by the BC Minister of the Environment. Specific examples may include: completing an Integrated Stormwater Management Plan (ISMP) as appropriate, controlling inflow and infiltration into the sewerage system, and completing annual reports to the GVS&DD to be included in progress reports (e.g., *LWMP Biennial Report*) to the Province. Note that Anmore would need to assess their level of watershed development in

accordance with the Ministry's expectation for completing an ISMP (see page 1 of the *LWMP Interim Report*).

- Servicing Study – This will determine the facilities needed to connect Anmore Green Estates and who is responsible to pay. Anmore will need to have a servicing agreement with Port Moody and GVS&DD, and part of that may require Anmore to construct and maintain sewer infrastructure to service Anmore Green Estates.
- Liability – GVS&DD members jointly share the liability of owning and operating a regulated regional sewerage system.
- If Anmore becomes a member of the GVS&DD, the Fraser Sewerage Area boundary can be amended to include Anmore Green Estates. Future boundary amendments can occur as Anmore develops future sewer servicing plans.
- Sewer service to Anmore properties would still be subject to the provisions of *Metro 2040: Shaping our Future*. Some relevant sections in Metro 2040 that may impact sewer servicing to Anmore properties include Sections 1.1.1, 1.3.1, 1.3.3, 6.8 and 6.9. *Metro 2040 Implementation Guideline 7* outlines the steps required for expansion of the regional sewer system. Under Metro 2040 the Urban Containment Boundary would need to be extended to include Anmore Green Estates prior to consideration by the GVS&DD Board to amend the Fraser Sewerage Area boundary.

Related links:

[Cost Apportionment Bylaw 283](#)

[Development Cost Charge Bylaw 254](#)

[Integrated Liquid Waste and Resource Management Plan](#)

[LWMP Biennial Report](#)

[LWMP Interim Report](#)

[Metro 2040](#)

[Metro 2040 Implementation Guideline 7](#)

Should you have any additional questions or concerns regarding this information, please contact Fred Nenninger, Director, Policy, Planning & Analysis Division at 604-432-6478.

Sincerely,



Peter Navratil, P.Eng, MPA
General Manager, Liquid Waste Services

PN/FN/ms

cc: Fred Nenninger, Director, Policy Planning and Analysis, Liquid Waste Services

November 5, 2018

> The Honourable Mayor McEwen and Council Members

> Village of Anmore
2697 Sunnyside Road
Anmore, BC, V3H 5G9

Dear Honourable Mayor and Council Members,

Re: Anmore Greens Estates Presentation to Mayor and Council on October 16, 2018
and Response to Village of Anmore Letter to Ministry of Environment and Climate
Change Strategy Dated October 19, 2018

The purpose of this letter is to reiterate and formalize Anmore Green Estate's (AGE) message delivered to Mayor and Council at the October 16th meeting and to respond to the Village of Anmore's (the Village) October 19, 2018, letter to the Ministry of Environment and Climate Change Strategy (attached). We have written this letter as a means of resolving misunderstandings, sharing information, and ultimately finding resolution.

As presented to the current Mayor and Council, the community of AGE has two key messages we feel is imperative for Council to understand. These include the health risk to the community and the financial risk AGE homeowners are facing. We also presented why AGE community is in support of the septic field development and why legal action against the Village was the only option left.

Health Risk

On November 23, 2017, the Province concluded that:

"E. coli and fecal coliforms levels [are] dangerously high in the media of the exposed slope on School District 43 property" and that "the impacted media poses a risk to human health as it is accessible to the public including children attending school on the property."¹

Since this conclusion, it has been well understood that a serious health hazard to children exists due to our septic leachate polluting the school grounds. While we understand there are differences in opinion as to that level of risk, we don't understand how any level of risk is acceptable. The single question that keeps coming to mind is what if a child gets sick? This is a risk and liability our community, as homeowners and parents, cannot tolerate.

¹ Ministry of Environment, Inspection Details: Report Number: 071030, file: 4606. 2017.

Although we respect the Village's need for due process, the length of the process for finding a resolution has been much more than we consider reasonable. Resolving the existing health risk should undoubtedly come before political positions, reputations or objectives.

We all strongly feel this issue needs to be expedited and we will continue to do whatever we can to get to sewer connection.

Financial Risk

Our second message is about the subdivision application and our individual financial risk as AGE home owners.

AGE has, for over a year, offered to pay for the physical construction of the connection, which was estimated to be \$200,000. However, costs to address all the scientific, engineering, and political hoops to date has been nearly double that and we still do not yet have permission to connect. AGE community members cannot afford this.

Our community developer has offered to help pay costs if our previously zoned septic field land, our privately owned common property, can proceed as planned. However, in 2017 the Village initiated a change to the bylaw specific to our septic field lands to "remove additional development capacity envisioned for the community sewage disposal field should it no longer be required."²

To us, the AGE community, that is terrifying. Without funding for the connection coming from our septic land; our community doesn't know how we'll pay for the costs to connect and because of this the sewer connection, once finally approved, may be further delayed due to financing.

You must understand that the financial risk to AGE homeowners goes much further than the cost of a physical connection. Financing of our homes has been dramatically affected as banks won't allow us to borrow against our homes until the septic issue is resolved. Taking away the opportunity for development means taking away our ability to fund a solution and puts each of AGE homeowner's individual financial security at risk. We have 51 homes in our community; that is 51 families seriously at financial risk in Anmore. Please keep in mind that the homeowners in AGE do not live in mansions worth millions with land to spare. We are working families. We are young families. We have kids in college. We are retirees on fixed incomes.

Septic Land Development

The bylaws applicable to our privately owned common property have always stated additional homes can be built on the septic field once the land is no longer required for sewage disposal purposes. It was on this understanding when we informed the Village that AGE was renewing our efforts to connect to the nearby sewer line to resolve issues with our leachate. As the Village is aware, our notification predated the following key steps and recent decisions regarding the planned septic land development application:

² Village of Anmore (Anmore), Minutes of the Public Hearing held on October 2017. 2017.

- In fall 2016, the Village was made aware of the potential for the development of our septic field lands to fund the sewer connection and associated process.
- In spring 2017, the Village initiated changes in the bylaws to prevent the subdivision of the septic field lands.
- On September 18, 2017, AGE submitted a subdivision application that matched the planned field development.
- On October 17, 2017, the Village passed the bylaw to “remove additional development capacity envisioned for the community sewage disposal field should it no longer be required.” Under provincial law, the AGE application had a one-year grace period before this change came into effect.
- On October 17, 2018, the grace period expired.

As noted above, AGE had a one-year grace period before the bylaw change would affect the existing application. Since the start of that one-year period, Village staff have refused to meet with AGE on all issues related to the subdivision or sewer connection. In addition to this, they have never publicly supported our community’s connection, even though it will resolve the pollution of the neighbouring school grounds. It seems to us that the clock has been purposely run out for the 12-month bylaw grace period for processing our application and that contamination has been allowed to continue in order to meet the current council’s objectives, which were not supported by their own bylaws. The act of prioritizing political positioning over the safety of children is deplorable.

We understand from council members’ public statements that their preference is for a park or for the school to have use of our lands. Our subdivision application is not set in stone. If the Village has plans or ideas of what these lands could look like; then we encourage the Village to have a dialogue with us. There remains opportunity for discussion as to what those lands would look like following sewer connection. But we cannot design a plan that works for everyone if the Village will not speak with us.

Law suit

On September 17, 2018, Mayor McEwen released a public statement regarding AGE septic issues. In that letter he stated that the Village was open to working with AGE. AGE followed this with an offer to meet with Village staff that was sent on September 26, 2018.

We were encouraged by the Mayor’s public statement and the accepted offer to meet, as it was the first indication that the Village of Anmore was willing to work with us; however, the meeting, which occurred on September 27, 2018, lasted less than ten minutes and consisted of Village staff saying they had nothing to discuss with AGE, and that “there was no roll for AGE in the resolution as this was between the Village and MOE [referring to Ministry of Environment and Climate Change Strategy; ENV]”³. This response from Village staff meant that AGE had no choice but to take legal action to protect our community members from significant financial risk.

A legal petition was served to the Village on October 12, 2018, 15 days after the Village and AGE meeting. The intent of the petition was to extend the provincially mandated 1-year processing time for active subdivision applications. It went to court on October 15, 2018, and on October 19, the judge decided that the Village’s planned downzoning of the septic

³ Personal communication from Jason Smith (Village of Anmore) in meeting with AGE representatives



field lands will remain in place until the legal petition to overturn the downzoning goes to a full hearing. A court date has not yet been set.

As expressed to Mayor and Council, we recognize that the existence of an active court case complicates any communication the Village may be willing to have with us, but we felt we had no choice, as this is the only way we can fund the resolution to the septic pollution. We are still open to have dialogue and discussion regarding this issue and possible resolutions. Our preference is to find an amicable solution so that it doesn't have to continue in the courts.

From the attached Village letter to the Ministry of Environment and Climate Change Strategy, we understand that the Mayor and Council have recently passed a resolution to consider connection of only the existing 51 homes to the municipal sewer and charge all costs to AGE. The resolution passed is as follows:

"That, subject to the Ministry of Environment and Climate Change rescinding the Ministerial Order, Council agrees in principle that connecting the 51 units currently serviced by an on-site septic system at Anmore Green Estates to the regional sewerage system appears to be the only practical solution, in the continued absence of further information in response to repeated requests of the Ministry of Environment, to resolve the septic system issues faced by the Anmore Green Estates Strata;

And That as the remainder of the Village residents do not require connection to the regional sewerage system and such connection is of a particular benefit to the Strata and the existing 51 units, Council deems it appropriate for the Anmore Green Estates Strata to be responsible for all costs associated with the initial connection and ongoing costs associated with connection to a regional sewerage system;

And That Council directs staff to undertake further investigation and discussions with relevant stakeholders and to report back on the required Green Estates Strata to connect the existing 51 units to a regional sewerage system on the terms described in this motion."

We implore you to please understand that preventing the planned development of our field is now just as limiting to us as denying the connection. Please engage our community and help us find resolution that will end the pollution of the school grounds in a way that will not financially damage 51 families in AGE.

If this is something you are simply not willing or cannot do, please reconsider the November 3, 2017, offer from City of Port Moody to adjust the jurisdictional boundary to make AGE part of the City (attached). This in many ways simplifies the issue at hand. The Village would no longer need to amend the Official Community Plan, nor join MetroVan. It would also remove our condensed living neighborhood from your semi-rural community. Most importantly, it would expedite the connection to the Port Moody sewer line and therefore end the health and financial risks that exist. Port Moody has offered, and we, as AGE homeowners, are in support of it. If the Village would agree, it could be done within the already existing regulatory framework. If you cannot support us, let us go.



Sincerely yours,

On Behalf of the Owners, Strata Property LMS 3080 – Anmore Green Estates:

A handwritten signature in black ink, appearing to be 'BR', with a horizontal line extending to the right.

Brandie Roberts
Vice-President, Anmore Green Estates Strata Council
broberts@greenwoodenvironmental.ca

cc'd:
Dan Bings, Ministry of Environment and Climate Change Strategy



October 19, 2018

Dan Bings
Operations Manager, Compliance Section
Ministry of Environment and Climate Change Strategy
Ste 400 – 640 Borland Street
Williams Lake, BC
V2G 4T1

VIA EMAIL: dan.bings@gov.bc.ca

Re: Village of Anmore Resolution – Anmore Green Estates Sewer Connection

Dear Mr. Bings:

The Village of Anmore Council at its final scheduled meeting of this term passed the following resolution in an effort to try and resolve the ongoing sewerage issues at Anmore Green Estates.

"That, subject to the Ministry of Environment and Climate Change rescinding the Ministerial Order, Council agrees in principle that connecting the 51 units currently serviced by an on-site septic system at Anmore Green Estates to the regional sewerage system appears to be the only practical solution, in the continued absence of further information in response to repeated requests of the Ministry of Environment, to resolve the septic system issues faced by the Anmore Green Estates Strata;

And That as the remainder of the Village residents do not require connection to the regional sewerage system and such connection is of a particular benefit to the Strata and the existing 51 units, Council deems it appropriate for the Anmore Green Estates Strata to be responsible for all costs associated with the initial connection and ongoing costs associated with connection to a regional sewerage system;

And That Council directs staff to undertake further investigation and discussions with relevant stakeholders and to report back on the required steps and associated costs for the Village of Anmore to allow for Anmore



Green Estates Strata to connect the existing 51 units to a regional sewerage system on the terms described in this motion."

We trust that this is a clear signal to the Ministry of Environment and Climate Change Strategy that the Village will undertake the work to move towards a connection for the 51 units at Anmore Green Estates to a regional sewerage system.

As you can appreciate, there are various agreements and processes that must be undertaken in order to achieve the physical connection, including approvals from other local government jurisdictions. Village staff will work diligently to ensure that the new Anmore Council (to be sworn in November 6, 2018) will have all necessary information to consider a formal decision to connect, however this will not be possible prior to the Ministerial Order deadline of November 30, 2018. As such, we are requesting that the Ministerial Order issued on August 16, 2018 to the Village of Anmore be rescinded.

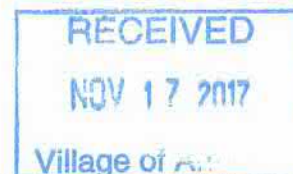
Further, it would assist the Village's efforts if the Ministry provides us with the information it has been requesting since July 2018. Please do so at your earliest convenience.

We look forward to your assistance as we move towards resolving this long standing issue. If you have any questions or concerns, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink that reads 'Juli Halliwell'.

Juli Halliwell
Chief Administrative Officer
T 604 469 9877
juli.halliwell@anmore.com



CITY OF PORT MOODY

OFFICE OF THE MAYOR

November 3, 2017

Mayor and Council
Village of Anmore
2697 Sunnyside Road
Anmore, BC, V3H 5G9

To Mayor and Council,

RE: Anmore Green Estates Request for Sewage Services

On September 20, 2017 Port Moody City Council received a letter from the owners and developer of Anmore Green Estates seeking to secure a private sewerage connection the GVS&DD System through the City of Port Moody. This letter was discussed in a closed Council meeting on October 24, 2017 where the City of Port Moody Council passed the following resolutions:

Moved, seconded, and CARRIED

THAT the City of Port Moody restate its standing position of allowing Anmore Green Estates to connect to the Port Moody Sewer System at Anmore Green Estates' own cost.

Moved, seconded, and CARRIED

THAT the Village of Anmore be requested to indicate their interest in having Anmore Green Estates become part of the City of Port Moody through a municipal boundary change.

As you are aware, Anmore Green Estates, or at least one of the owners, has been making many comments about the functionality of the existing septic field and allegations that it is unsafe. As far as we are aware, all of our inspections and reports from other agencies does not substantiate the claims that are being made and there is no existing safety issue.

We do, as we have said in the past, think that the best solution for the future of Anmore Green would be to have them connected to the municipal sewer system, which we are willing to facilitate as long as it is not at the expense of Port Moody taxpayers. While we believe the existing system on Heritage Mountain is under capacity and this connection could be made, we would require confirmation of the engineering, detailed design and engineering reports on the cost and requirements to complete the connection.

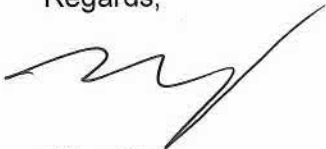
We are under the impression that this cannot happen without the Village joining the GVS&DD and the sewerage area boundary being extended to include Anmore Green Estates. It would appear as if GVS&DD is willing to support the extension with conditions, but we understand Anmore is unwilling to move to join the GVS&DD.

The alternative, as we are led to believe, would be to redraw the municipal boundaries to move Anmore Green Estates into the City of Port Moody. We have not given any consideration of the costs or implications of such a change, but our Council has asked that we reach out to see if the Village has any interest in such. We don't want to confuse this with any request from Port Moody to initiate such a process but to support Anmore should you be interested.

Of course we have no interest in inserting ourselves into local land use policy decisions of the Village of Anmore, but do offer any assistance that may help with your decision making process. We hope that you accept both of the motions above as expressions of support for Anmore, and we are not in any way pursuing any actions other than initiating this discussion with you. We are concerned at any inference to unsafe conditions and want to ensure, with you, that neither the City nor the Village are exposed to any liability, or risk.

Please advise me at your earliest opportunity if you are interested in pursuing this matter further through either having Anmore join the GVS&DD or through an amendment to the municipal boundary. I can be reached by phone at 604 469-4515 or by email mclay@portmoody.ca.

Regards,

A handwritten signature in black ink, appearing to be 'Mike Clay', written over a horizontal line.

Mike Clay
Mayor

Summary of Zoning Changes

The Village of Anmore downgraded the development capability of the AGE septic field to stop the “previously envisioned” development of AGE’s septic field. This occurred after AGE notified the Village of the pollution, the request to connect, and that the development could be used to fund the connection if costs escalated. The difference between the two zoning bylaws is the change of the maximum number of dwelling from “more than 39” to “cannot exceed 39”.

VILLAGE’S 2005 ZONING BYLAW: THE ZONING THAT THAT EXISTED ON THE SEPTIC FIELD UNTIL OCTOBER 17, 2018:

- (PDF pg 31) 3050B.2 Buildings and Structures

(A) “The maximum number of the One Family Residential dwelling units may exceed 39 provided that:
a) The community sewage disposal field is not required for sewage disposal purposes; and not less than 1335 square meters (0.33acres) of land is allocated as the common open space for use of the residents....”

Village of Anmore (Anmore), Zoning Bylaw 374, 2004 (Consolidated), in A Bylaw to Regulate The Zoning and Development of Real Property Within the Municipality. 2005. p. 28.

Village’s September 2017 Public Hearing presentation: The presentation the Village of Anmore gave to justify the change, and to say what the rationale for the change is:

- (PDF Pg 16) “RCH-2 ZONE (ANMORE GREEN ESTATES) Removed additional development capacity envisioned for the community sewage disposal field should it no longer be required.”
- (PDF Pg 18) Describes the implications of the change as “Subdivision applications in process will have 12 months to complete subdivision under current zoning (2005) bylaw requirements. All new building permit or subdivision applications received after the adoption of the new zoning bylaw will need to comply with the new requirements.”

Village of Anmore (Anmore), Minutes of the Public Hearing held on Monday, September 18, 2017. 2017.

Village’s 2018 zoning bylaw: The zoning that was voted in on October 17, 2017 and came into affect October 17, 2018

- (PDF pg44) 9.3 COMPACT HOUSING 2 (ANMORE GREEN) – RCH-2 9.3.3 Maximum building Size and Height “(a) The maximum number of one-family dwelling units shall not exceed 39.”

Village of Anmore (Anmore), Anmore Zoning Bylaw (Consolidated), in A Bylaw to Regulate The Zoning and Development of Real Property Within the Municipality. 2005. p. 43.

FOR IMMEDIATE RELEASE – Village of Anmore takes action to resolve Anmore Green Estates sewerage issues

There has been considerable discussion and concern expressed with regards to the current and future state of sewage treatment and the septic facilities servicing the 51 homes known as “Anmore Green Estates”. This includes 39 homes on smaller lots that were converted from mobile homes as well as 12 larger lot single family and duplex homes.

Village Cooperation

The Village has fully cooperated in discussions and provided all information requested by the Ministry of Environment & Climate Change Strategy (MOE) and Anmore Green Estates Strata (AGE) and their consultants. Unfortunately, requests for information and further explanation of report results from the MOE have not been provided and instead representatives have questioned Council’s motives and professionalism.

The Village takes health and safety concerns relating to the public, particularly school children, very seriously and has a keen interest in finding a permanent solution to more than a decade of issues relating to the current on-site septic treatment system at Anmore Green Estates.

Since the order was issued, the Village has indicated that it is not interested in connecting to the regional sewer system through Port Moody, but that if no other solutions were feasible that it would be considered. We have communicated that a regional sewer connection will require an amendment to our Official Community Plan. This requires broad community consultation and input. As a result, the Village would like to have all of the facts before undertaking that process.

Lack of Information and Cooperation from MOE and AGE

One of the facts that has gone unexplained by the MOE is why an upgraded, on-site septic treatment system is not viable or not the preferred option by the engineers that were hired by AGE. Without this information, it is difficult for Anmore Council to explain to all residents of Anmore (who will be affected by a connection to Port Moody’s sewer system) why it is necessary to connect to sewer. The Village requested this information on July 18, 2018 of the MOE and received a non-answer response on October 31, 2018.

What has also gone unexplained by the MOE and AGE in their communications is the fact that there are other parties who must agree to a sewer connection. This decision does not solely rest on the shoulders of the Village.

Another barrier to resolving the situation and developing a cooperative relationship is the decision by AGE to commence legal action against the Village. It appears disingenuous for the AGE Strata to come before the Village Council and ask to enter into a productive relationship while at the same time making baseless accusations and belittling the Village’s perspective in court submissions. If AGE is serious about resolving this amicably then it should withdraw its court action.

Requirements for Connecting to Regional Sewer

There are numerous requirements necessary to join the regional sewer system. The first requirement is getting approval from the Greater Vancouver Sewerage & Drainage District (GVS&DD) for all of Anmore

to become a member of the district. This requires approval from the Metro Vancouver Regional District (MVRD) Board. The MVRD Board would also need to approve an amendment to the Regional Growth Strategy to include Anmore Green Estates within the Urban Containment Boundary and designate it Urban.

If approval is granted, the City of Port Moody will have to agree to the connection, as the Village will need to use Port Moody infrastructure to connect to the GVS&DD infrastructure, and the Village and City will have to enter into an agreement for the one-time construction and ongoing discharge of effluent and the costs associated with that service.

The Village is only supportive of connecting the existing 51 homes to the regional sewer system if there is no other on-site solution that is feasible. The Village will not support the connection of any additional units beyond the existing 51 homes to the regional sewer system. The Village has been developed on the basis that residents are responsible for the provision of their own sewerage treatment – this will not change for AGE.

Costs of Connection

If a connection to the regional sewer system were to proceed for Anmore Green Estates, all costs associated with the connection and the membership in the GVS&DD will be passed on to AGE – as AGE will be the only beneficiary of the membership. This is consistent with the numerous occasions that AGE communicated that they will be 100% responsible for ALL costs associated with connection to the regional sewer system. Below are some of the preliminary cost estimates for the connection and ongoing fees. Those costs include:

- Developing a Liquid Waste Management Plan \$5,000
- Annual Reporting on the Liquid Waste Management Plan \$2,000/year
- One-time development cost charge of \$5,428 per household
- Annual cost of GVS&DD membership \$27,000 rising to \$64,000 in 5 years
- Cost of negotiating Servicing agreement with Port Moody (TBD)
- Annual discharge fee charged by Port Moody (TBD)
- The capital costs of constructing the sewer connection, which a preliminary estimate was made in September 2016 for \$200,000.

Based on this information if you were to apportion the costs evenly for each 51 homes served by the current system this would result in one-time costs of \$9,450 per household and annual costs of \$570 rising to \$1,295 per household within 5 years. These estimates do not include the ongoing discharge fees that will be charged by Port Moody or one-time costs of negotiating the servicing agreement with Port Moody or the on-going servicing costs of the infrastructure on AGE property.

It is important to note that while a cost of \$10,000+ is not a small sum for many residents, that the cost to replace an individual septic system is between \$25,000-\$50,000, which all other residents in Anmore are expected to pay for without assistance from the Village. The Village was surprised to learn at the October 16, 2018 Regular Council meeting that the residents of Anmore Green Estates were concerned about the future development of the on-site septic field and the state of the subdivision application as it related to paying the costs of the sewer connection. The only concern that had been raised previously by AGE was that of the health and safety of the children attending the adjacent schools.

A letter to the Village from AGE dated October 30, 2018 claims that residents of Anmore Green Estates cannot afford to pay the connection costs themselves; however, this is not a case of hardship. If AGE is depending on development to pay for capital costs associated with the treatment and discharge of their sewage, they have not done their due diligence in setting aside the appropriate funds. The Village cannot be held responsible for the failure of the AGE Strata to consider contingencies to fund a solution to their long standing septic issues – issues that they have claimed in court which go back to 2006. We find it puzzling that AGE did not anticipate the possibility that their own engineering consultants would advise that an on-site solution in the form of a modern treatment system was viable. How would this have been paid for had that conclusion been made?

AGE, in its October 30, 2018 letter, raised the notion of a municipal boundary adjustment as a means to resolve this issue. The Village of Anmore has absolutely no interest in pursuing a boundary adjustment and will instead focus its energies on a permanent resolution.

The steps required to arrive at a permanent resolution will not happen overnight. It will likely take months of required consultation, approvals and construction – regardless of the agreed to solution. The hope of all members of Council is that this matter be finally resolved as soon as possible and we are committed to continuing our cooperative relationship with all parties involved.

Development History

Two Councils ago, the Village's Official Community Plan (OCP) was adopted in the fall of 2014. In the OCP were specific policies that were relevant to development at Anmore Green Estates. The first being that there would be no further expansion of manufactured home parks in Anmore and secondly that there would be no contemplation of a municipal wide sewer system. During the extensive OCP consultative process, there was no opposition to either of these policies. After the adoption of the OCP work began on the revising the zoning bylaw, as it must be consistent with the OCP. During this review it was identified that the RCH-2 zone for Anmore Green Estates, as it existed in the 2004 zoning bylaw, was inconsistent with the OCP. Therefore Council chose to change it to ensure that it was consistent with OCP and the Village's vision for growth. Council was completely transparent about this change and members of the AGE Strata were in attendance at a public meeting held in May of 2017, 6 months before the zoning bylaw was adopted, as well as the required public hearing in September 2017. These meetings were held in the lead up to the adoption of the new zoning bylaw in October 2017.

Moving Forward

Despite the legal action taken by AGE, the absence of any further assistance or information from the MOE and limited jurisdiction to regulate sewage treatment, the Village of Anmore Council has chosen to take positive action to ensure that public health and the environment are protected by directing staff to begin the process of connecting Anmore Green Estates to the regional sewer system.

The Village is going about this in a manner that is consistent with the Village's value of financial sustainability and in a manner that is consistent with its vision for growth. The Village continues to welcome and hope that the AGE Strata and MOE will join the Village in its efforts to find a lasting solution.

Timeline for Zoning Bylaw adoption:

Proposed changes to the RCH-2 Zoning were introduced in the Spring of 2017. AGE Strata members attended a public meeting on the proposed new zoning bylaw on May 10, 2017 and the public hearing that was held on September 18, 2017. The new zoning bylaw was adopted on October 17, 2017.

Timeline of Correspondence

September 18, 2017 – Subdivision application received in person

September 28, 2017 – Email from Robert Boies with a letter pertaining to the subdivision application

November 15, 2017 – Email from Greg Dureault, lawyer for AGE, requesting a meeting to discuss subdivision

November 20, 2017 – Response from Jason Smith to Greg

November 22, 2017 – Email from Ewen Stewart requesting to meet without lawyers present

November 30, 2017 – Letter from Approving Officer stating that until servicing issues resolved that no further work will take place on the subdivision

December 3, 2017 – Response, via email, to November 30 letter from Ewen Stewart

December 5, 2017 – Response from Jason Smith to Ewen with an offer to meet

December 7, 2017 -- Meeting with Ewen Stewart, Juli Halliwell and Jason Smith to discuss servicing for the subdivision proposal.

December 8, 2017 – Follow-up email to Ewen Stewart from Approving Officer providing opportunity to amend proposed subdivision

January 22, 2018 – Email to Juli Halliwell from Fawn Ross conveying Action Plan and intent to arrange meeting with the Village

February 23, 2018 – Email from Ewen Stewart requesting a meeting with the Village

February 28, 2018 – Response to Ewen Stewart stating that the Village will meet when MOE has made a determination

February 28, 2018 – Follow-up email from Ewen offering to send any information that might be useful

February 28, 2018 – Response from Jason Smith to Ewen stating that if they had any additional information that they could share it

March 2, 2018 – Email from Fawn Ross requesting a meeting to discuss technical issues and threatening Ministerial Order if the Village does not oblige

March 7, 2018 – Response to Fawn from Jason Smith declining request to meet.

March 12 – Email from Ewen Stewart requesting to meet to discuss connection without GVS&DD membership

March 12 – Response to Ewen Stewart declining meeting and attached June 1 2017 letter to lawyer addressing GVS&DD membership question

March 13 – Letter from Eagle Ridge PAC to Minister requesting action

April 4, 2018 – Information Release from Village on its position

April 9, 2018 – Abatement Order report from AGE Strata consultant Fawn Ross

April 9 – MOE response to Abatement Order response indicating additional report and peer review will be required.

April 11 – Letter to MOE from Village on position regarding connection to sewer and requesting independent peer reviewer

April 30 – Email from Ewen Stewart to Juli Haliwell regarding history of site and requesting Village consultants information about possible on site solutions.

May 10 – Email from MOE advising that CTQ Engineering has been hired to write second report and that Oland Engineering has been hired to conduct peer review.

May 14 – Letter from Metro Vancouver to Village outlining potential costs of connection

May 25, 2018 – Email from MOE with CTQ report and Oland peer review

June 7, 2018 – Closed Council meeting with MOE ADM David Morel

June 8, 2018 – Letter from Juli Haliwell to David Morel outlining June 7 meeting notes.

June 20 – Letter from David Morel to Village regarding June 7 meeting

June 26, 2018 – Eagle Ridge PAC meeting with MOE and some Village Councillors in attendance.

July 4, 2018 – Draft ministerial order provided to Village

July 18, 2018 Letter to MOE/David Morel requesting additional analysis of on site solutions.

July 31, 2018 – Email from Ewen Stewart requesting to meet

August 1 – Response to Ewen Stewart declining to meet.

August 17 – Ministerial Order issued

August 23 – Email from Ewen Stewart requesting to meet and Village response declining to meet

September 4, -- Letter from resident Colleen Hackinen to MOE re AGE

September 6 – Letter from Village to MOE re Ministerial Order

September 13 – Meeting with Minister to discuss AGE at UBCM

September 17 – Mayor`s press release

September 20 – Email from Ewen Stewart requesting to meet

September 25 – Village response to Ewen Stewart agreeing to meet

September 27 – Meeting with Ewen Stewart and Fawn Ross to discuss subdivision

October 3, 2018 – Follow-up with MOE regarding response to July 18 request for more information

October 12, 2018 – Village served with legal action by AGE Strata

October 19, 2018 – Village motion regarding request to rescind order and taking action to consider connection released.

October 31, 2018 – MOE email containing Engineer's response to July 18 request for more information

November 5, 2018 – Letter from AGE Strata requesting a solution



Reference: 335757

File: 4606

November 27, 2018

His Worship Mayor John McEwen
and Councillors
Village of Anmore
2697 Sunnyside Road
Anmore BC V3H 5G9

Dear Mayor McEwen and Council:

Thank you for your letter of November 21, 2018, in which you request I rescind the Ministerial Order dated August 16, 2018.

I understand that the Village of Anmore Council passed a resolution on October 16, 2018, to begin the process of resolving this matter and that the resolution also requested that I rescind the order. You also note in your recent letter that the Village of Anmore Council passed another resolution on November 20, 2018, requesting an extension of the November 30, 2018, deadline to create a Liquid Waste Management Plan should the order not be rescinded.

While I am not prepared to withdraw the order for a Liquid Waste Management Plan, I am prepared to extend the current submission deadline. The order of August 16, 2018, is hereby amended such that the submission date for a Liquid Waste Management Plan is now April 30, 2019. The ministry expects to receive regular progress updates.

ORDER

Pursuant to Section 24(4) of the *Environmental Management Act*, the order of August 16, 2018, is hereby amended such that the submission date for a Liquid Waste Management Plan is now April 30, 2019.

DUTY TO COMPLY

Failure to comply with the requirements of this order is a contravention of the *Environmental Management Act* and may result in legal action. I direct your attention to Section 120(11) of the *Environmental Management Act*, which reads:

(11) A municipality that...(a) fails to submit to the minister a waste management plan as requested or directed by the minister under section 24(2) or (3)... commits an offence and is liable on conviction to a fine not exceeding \$300 000.

...2

Failure to comply with the requirements of this order may also result in an administrative penalty under the Administrative Penalties Regulation (*Environmental Management Act*).

I direct your attention to Section 12(4) of the Regulation, which reads:

(4) A person who fails to comply with an order under the [Environmental Management] Act is liable to an administrative penalty not exceeding \$40 000.

CONTACT

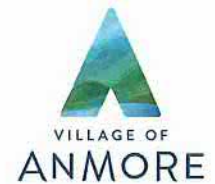
If you have any questions regarding this matter, please contact Mr. Dan Bings, Compliance Operations Manager in the Regional Operations Branch of the Environmental Protection Division, at 250 398-4545 (w) or 250 617-0324 (c) or via email at Dan.Bings@gov.bc.ca.

Sincerely,



George Heyman
Minister

cc: Dan Bings, Compliance Operations Manager, Environmental Protection Division, Ministry of Environment and Climate Change Strategy



November 21, 2018

Honourable George Heyman
Minister of Environment and Climate Change Strategy
Room 112 Parliament Buildings
Victoria, BC
V8V 1X4

VIA EMAIL: env.minister@gov.bc.ca

Re: Ministerial Order – Request to Rescind

Dear Minister Heyman:

In your Ministerial Order issued on August 17, 2018 you gave the Village a deadline of November 30, 2018 to develop a full Liquid Waste Management Plan. In other words you gave us three and half months to develop a full plan, including the required public consultation. This was an unreasonable and unrealistic timeline, yet the Village has tried to advance a solution to the ongoing issues of sewerage treatment at Anmore Green Estates.

We asked for additional information that was critical to our efforts to resolve this prior to the issuance of the Ministerial Order. This request was made in writing on July 18, 2018. We heard nothing back through the summer and received assurances from you at our meeting on September 13 at the 2018 UBCM Convention that you would work with your staff to provide the information. We received a two page brush off from the Ministry on October 31, 2018 – three and half months after our request. The Ministry takes three and half months to not answer our simple request for further information yet orders the Village to undertake a full Liquid Waste Management Plan in the same amount of time.

Despite this, Council in good faith passed a resolution at its meeting on October 16, 2018 to begin the process of resolving this matter and in that resolution we requested that you rescind the order. This resolution was provided to the Ministry on October 19. To date, we have heard no response.

Again, Council took responsibility to take the only available action to the Village to resolve this matter and honour the deadline you imposed by passing another



motion at a special Council meeting on November 7, 2018. This motion was provided to the Ministry on November 8. To date, we have heard no response.

The Village is trying to do its best to resolve the situation at Anmore Green Estates but we can't do this if you will not communicate or work with us. The Village has regrettably been forced into a position to request an extension to the deadline that the Ministry imposed on us because of an absence of effort on the Ministry's part.

The Village's preference is for the Ministry to acknowledge the efforts the Village is making to resolve this matter, given the Village's limited capacity and jurisdiction with regards to this matter, by rescinding the Ministerial Order as requested in our motion of October 16. If you are not willing to rescind the Ministerial Order, then the Village requests that you extend the deadline for the completion of a Plan to a reasonable time line to complete a Liquid Waste Management Plan in accordance with your guidelines. Please be advised that if you choose to maintain the Ministerial Order than the Village will cease its efforts to consider membership in the GVS&DD until such time as the Liquid Waste Management Plan is complete.

At the Closed Council meeting held on November 20, 2018, Council passed and released the following resolution:

"If the Minister of Environment and Climate Change Strategy is not willing to rescind the Ministerial Order issued to the Village, that Council request an extension of the imposed November 30, 2018 deadline to create a Liquid Waste Management Plan as per the Ministerial Order dated August 16, 2018 to the Village of Anmore and that staff forward such request to the Ministry of Environment and Climate Change Strategy immediately.

Further, should the Ministerial Order remain in place, Council directs staff to cease efforts to pursue membership in the GVS&DD and focus the limited resources of the Village on complying with the Ministerial Order."

Finally, the Village would still like to be provided answers to the questions we asked in our July 18, 2018 letter. Answers to these questions will be essential if we are to move forward with either a Liquid Waste Management Plan or an Official Community Plan amendment to enable GVS&DD membership.

Yours sincerely,



John McEwen, Mayor

T 604 469 9877

john.mcewen@anmore.com

cc: Minister of Municipal Affairs and Housing, Honourable Selina Robinson
MLA Rick Glumac
City of Port Moody
Metro Vancouver Regional District,
School District No. 43
Anmore Green Estates Strata

July 18, 2018

David Morel
Assistant Deputy Minister
Ministry of Environment and Climate Change Strategy
Ste 400 – 640 Borland Street
Williams Lake, BC
V2G 4T1

VIA EMAIL: david.morel@gov.bc.ca

Re: Request for On-Site Septic Treatment System Analysis

Dear Mr. Morel:

The Village of Anmore continues to want to work with the Ministry of Environment and Climate Change Strategy (the Ministry) to find an effective solution to the sewage treatment issues at Anmore Green Estates.

While the Village appreciates your offer to put us in direct contact with the engineers who work for Anmore Green Estates Strata (AGE), we are choosing to communicate our concerns and questions directly to the Ministry – as the Ministry has sole jurisdiction and responsibility for ensuring compliance with the permit requirements and administering the permit. Should you need to consult with AGE engineers or consultants to better address our concerns and questions that will be at your discretion.

It is our view that there are two means of solving the issue either by treating the sewage onsite or connecting to regional sewer system.

To date the Village has been made aware of the detailed costs and designs for constructing and maintaining a connection to the regional sewer system, which would involve the Village of Anmore becoming a member of the Metro Vancouver Sewerage and Drainage District (MVS&DD). Though the upcharge that Port Moody would impose on the Village for using their infrastructure remains unknown.

Records indicate that the Anmore Green Estates permit allows for 39 - two bedroom homes and 12 -three bedroom homes to be connected to the system with an allowable 61 m³/day allowable discharge. We understand that the 39 "modular" homes make up the 39 – two bedroom homes. However, could the Ministry confirm the addresses for the additional 12 homes connected to the field? We assume these homes are located on 1 acre parcels. If this is true, has the Ministry reviewed the possibility of removing these 12 homes from the existing septic field in order to reduce the volume of effluent produced?

The engineering reports submitted on behalf of AGE elude to the fact that on-site solutions are not viable. The primary reason is cited as the ground conditions beneath the septic fields are not suitable for disposal, due to permeability of the underlying soil within the septic field's boundaries. We understand and accept that the current volume of effluent can no longer be "processed" by the existing septic field. However, we would request that the Ministry provide clarity on what volumes of discharge can be achieved, without exposing the public to harmful pathogens. Once this is determined, we would request alternate solutions for disposal of the surplus effluent, complete with cost estimates for each solution. During the previous engineering reviews has the Ministry looked at alternative discharge areas within the Anmore Green Estates Strata common property limits? At present no detailed analysis or costing has been provided regarding an on-site solution.

If the Village is going to give consideration to amending its Official Community Plan and engage our citizens in a discussion regarding joining the MVS&DD as a means to solving the issues at Anmore Green Estates – then we will require a detailed analysis about what the design and cost of an on-site solution would be and why it is not the preferred option.

This would then enable the Village of Anmore to make an informed decision about how best to proceed. Should the solution to these issues involve proceeding with an Official Community Plan Amendment we would then be able to provide this analysis to the public.



We respectfully request that the detailed analysis is provided to the Village no later than Friday, August 31, 2018.

Yours sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "John McEwen".

John McEwen

Mayor

T 604 469 9877

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Chris Boit, P. Eng

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